HEARINGS ON H.R. 1689, TO CREATE AN AMERICAN BOXING CORPORATION

HEARINGS

BEFORE THE

SUBCOMMITTEE ON LABOR STANDARDS

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

NINETY-NINTH CONGRESS

FIRST SESSION

ON

H.R. 1689

TO CREATE AN AMERICAN BOXING CORPORATION

HEARINGS HELD IN WASHINGTON, DC, ON MAY 30 AND LAS VEGAS, NV, ON SEPTEMBER 20, 1985

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HEARINGS ON H.R. 1689, TO CREATE AN AMERICAN BOXING CORPORATION

THURSDAY, MAY 30, 1985

House of Representatives,
Subcommittee on Labor Standards,
Committee on Education and Labor,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 2261, Rayburn House Office Building, Hon. Austin J. Murphy (chairman of the subcommittee) presiding.

Members present: Representatives Pat Williams and Steve Bartlett.

Staff present: Thomas F. Lamb, Jr., staff director; Richard Fiesta, majority counsel; Bruce Wood, minority labor counsel.

[Text of H.R. 1689 follows:]

99TH CONGRESS
1ST SESSION

H. R. 1689

To create an American Boxing Corporation.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1985

Mr. WILLIAMS (for himself, Mr. RICHARDSON, Mr. ECKART of Ohio, Mr. DORGAN of North Dakota, Mr. LELAND, Mr. OWENS, Mr. YATRON, and Mr. HALL of Ohio) introduced the following bill; which was referred jointly to the Committees on Education and Labor and Energy and Commerce

---

A BILL

To create an American Boxing Corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CORPORATION CREATED.

For the purposes of efficient oversight of professional boxing and the establishment of minimum health and safety standards for boxing, there is hereby created a body corporate by the name of "American Boxing Corporation" (hereinafter referred to as the "corporation").

SEC. 2. DIRECTORS OF CORPORATION.

(a) COMPOSITION.—The board of directors (hereinafter referred to as the "board") of the corporation shall be composed of six members, who shall be appointed by the President by and with the advice and consent of the Senate. The President shall designate one member of the board to serve as Chairman.

(b) Term.—The term of office for each member of the board shall be six years, except that, of the members first appointed, two shall be appointed for a term of two years and two for a term of four years. Any member appointed to fill a vacancy shall be appointed for the unexpired portion of such term. Any member of the board may continue to serve as such after the scheduled date of expiration of his term until his successsor has been appointed.

(c) Qualifications of Members.—Each member of the board of directors—

(1) shall be a citizen of the United States;

(2) shall not, during his service as a director of the corporation, be engaged as a professional boxer; as a boxing promoter, agent, fight manager, matchmaker, referee, or judge; or in any other capacity in the conduct of the business of professional boxing; and

(3) shall not have any pecuniary interest in the earnings of any boxer or the proceeds or outcome of any boxing match.

(d) Background of Members.—Not fewer than three members of the board, prior to appointment to the board, shall have been engaged as professional boxers; boxing promoters, agents, fight managers, matchmakers, referees, or judges; or in any other capacity in the conduct of the business of professional boxing. Each other member of the board shall be an individual who, by reason of his business, professional, or other background, training, experience, or activities outside the business of professional boxing and its related activities, has a broad understanding of the relationship between professional boxing, both as a sport and as a business, and the public interest.

(e) GENERAL RESPONSIBILITIES OF BOARD.—The board shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation.

SEC. 3. COMPLETION OF ORGANIZATION OF CORPORATION.

A majority of the persons first appointed as members of the board of directors is authorized to complete the organization of the corporation by the adoption of a constitution and bylaws, by the selection of officers and employees, and by doing such other acts, not inconsistent with this Act, as may be necessary for such purpose.

SEC. 4. OBJECTS AND PURPOSES.

The objects and purposes of the corporation shall be—

(1) to establish model State boxing commission standards and provide financial and technical assistance to States to help them comply with the standards;

(2) to sanction boxing matches in States that are implementing the model State boxing commission standards; and

(3) to establish United States boxing championships.

SEC. 5. GRANTS TO STATES TO IMPLEMENT MODEL STATE BOXING COMMISSION STANDARDS.

(a) GRANTS AND TECHNICAL ASSISTANCE.—Subject to the provisions of this section, the corporation shall make grants, provide technical assistance, or both, to those States which adopt and implement a plan—

(1) to establish a State boxing commission which meets the model State boxing commission standards under subsection (c); and

(2) to comply with such other requirements that the corporation considers necessary or appropriate for a State boxing commission.

(b) APPLICATION.—Each State that desires to receive a grant or technical assistance, or both, under this section shall apply to the corporation. The corporation shall approve an application if it contains the information and assurances that the corporation considers necessary to demonstrate that the

State has an effective plan for meeting the requirements under subsection (a).

(c) MODEL STATE BOXING COMMISSION STANDARDS.—For purposes of establishing criteria for States to meet in order to receive assistance under this section and to encourage the nationwide implementation of uniform boxing regulation at the State level, the corporation shall develop model State boxing commission standards. In developing the standards, the corporation shall establish requirements that the corporation considers necessary or appropriate for a State boxing commission, including—

(1) a requirement that the commission establish State fair labor standards that are the same as, or more stringent than, the standards prescribed by the corporation in section 7(a);

(2) a requirement that the commission set up a system for State registration of boxers and boxing matches that contains standards that are the same as, or more stringent than, the standards for such registration prescribed by the corporation in section 7(b); and

(3) a requirement that the commission set up standards that are the same as, or more stringent than, the standards prescribed by the corporation in section 7(c) for the making of contracts, agreements, arrangements, and understandings pertaining to the conduct or

promotion of any boxing match or any matter related to such boxing match.

SEC. 6. CORPORATION SANCTION.

(a) AWARD OF CORPORATE SANCTION.—The corporation may sanction any boxing match held in a State whose boxing commission meets the model State boxing commission standards if such boxing match meets the standards and other requirements prescribed by the State boxing commission. The corporation shall prescribe rules for the administration of the corporate sanction system.

(b) WITHDRAWAL OF CORPORATE SANCTION.—The corporation shall withdraw its sanction of any proposed boxing match if it finds such withdrawal is in the public interest and that—

(1) there exist reasonable grounds for belief that such match will be in any way affected by violations of fair labor standards prescribed by the corporation under section 7(a), bribery, collusion, intentional losing, racketeering, extortion, or the use of unlawful threats, coercion, intimidation, or violence;

(2) such match, or any boxer in such match, is not registered in the State in accordance with the standards prescribed by the corporation under section 7(b); or

(3) any contract, arrangement, or agreement with respect to such match does not conform to the requirements of the corporation under section 7(c).

(c) Applicability of Sanction.—This section shall apply to boxing matches located in States which are implementing or have implemented the model State boxing commission standards of this Act and that voluntarily seek the sanction of the corporation.

SEC. 7. CORPORATION STANDARDS.

(a) Fair Labor Standards.—The corporation shall prescribe fair labor standards for professional boxing that the corporation determines are in the best interests of the public and the best interests of professional boxing, including—

(1) minimum rates of compensation and other consideration, including all types of insurance;

(2) minimum environmental standards to be met at the sites of registered boxing matches;

(3) minimum standards for availability of medical services and facilities; and

(4) minimum standards for equipment and facilities necessary to reasonably ensure the physical safety of professional boxers participating in registered boxing matches;

(b) State Registration Standards.—The corporation shall prescribe standards for a system of State registration of professional boxers and boxing matches, including requirements—

(1) that the State compile and maintain (A) a list of professional boxers, including such information as the corporation considers appropriate about such boxers, and (B) a rating of such boxers according to each such boxer's relative boxing abilities; and

(2) that the State set forth in writing the specific requirements that boxers and boxing matches must meet in order to be registered by the State.

(c) BOXING MATCH STANDARDS.—The corporation shall prescribe standards for the making of contracts, agreements, arrangements, and understandings pertaining to the conduct or promotion of any boxing match or any matter related to such boxing match.

(d) ANNUAL REPORT ON STATE PROGRESS.—The corporation each year shall publish and make available to Congress and the public an analysis of the status of boxing in each of the 50 States. The analysis shall—

(1) describe the State boxing commission, if any, in each State;

(2) describe the degree to which each State is implementing the provisions of the model State boxing commission under section 5; and

(3) rank the 50 States according to how well the State meets the fair labor standards prescribed by the corporation under this section.

(e) THREE-YEAR REPORT ON STATE PARTICIPATION.—The corporation shall submit a report to Congress three years after the corporation begins operation. The report shall describe in detail the degree of participation by the States in implementing the model State boxing commission standards and the prospects for the success of voluntary State participation. The report also shall include a timetable for State implementation of voluntary participation and any recommendations the corporation has for increasing the cooperation of States.

(f) NONINTERFERENCE AND COOPERATION WITH STATE BOXING AUTHORITIES.—Nothing in this Act shall prohibit any board, commission, or other agency, created by or pursuant to the law of any State or political subdivision of any State, from exercising any of its powers, duties, or functions with respect to the regulation or supervision of professional boxing or boxing matches, except to the extent inconsistent with the provisions of this Act. In carrying out the corporation's duties under this Act, the corporation shall consult and cooperate with any such board, commission, or other agency.

SEC. 8. CORPORATION CHAMPIONSHIPS.

The corporation shall establish national boxing championships, including rankings and ratings of boxers, and may sell to promoters or other persons connected with the business of professional boxing the rights to hold boxing matches to determine the winners of the corporation championships.

SEC. 9. CORPORATE POWERS.

(a) IN GENERAL.—The corporation shall have power to—

(1) sue and be sued;

(2) make contracts;

(3) acquire, hold, and dispose of real and personal property as may be necessary for its corporate purposes;

(4) accept gifts, legacies, and devises in furtherance of its corporate purposes;

(5) adopt, alter, and use a corporate seal;

(6) adopt, alter, use, and display such emblems, seals, and badges as it deems appropriate;

(7) establish and maintain offices for the conduct of the affairs of the corporation;

(8) publish a newspaper, magazine, or other publication consistent with its corporate purposes;

(9) borrow money to carry out its corporate purposes and issue notes, bonds, or other evidences of indebtedness therefor, and secure the same by mortgage,

subject in each case to the laws of the United States or of any State;

(10) provide financial assistance, including shares of the profits of the corporation, and technical assistance, as described in section 5, to States in furtherance of the purposes of the corporation;

(11) conduct campaigns for raising funds and accept contributions from individuals, corporations, and other bodies, foundations, and organizations;

(12) approve and revoke membership in the corporation;

(13) choose such officers, directors, trustees, managers, agents, and employees as the business of the corporation may require, except that any personnel appointed by the corporation shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

(14) adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or of any State;

(15) do any and all lawful acts and things necessary and proper to carry out the purposes of the corporation.

(b) FEES AND EXPENDITURES.—(1) The corporation may fix and collect a fee for the registration of boxing matches and boxers in States which are implementing or have implemented the model State boxing commission standards under this Act.

(2) The corporation is authorized to make such expenditures and contracts as may be necessary to carry out this Act.

SEC. 10. CONSULTATION WITH INTERNATIONAL BOXING ASSOCIATIONS.

The corporation shall consult, as it deems appropriate, with international boxing associations, commissions, organizations, and groups with respect to the international regulation of professional boxing.

SEC. 11. MEMBERSHIP; VOTING RIGHTS.

(a) MEMBERSHIP.—Eligibility for membership in the corporation shall be determined in accordance with the constitution and bylaws of the corporation.

(b) VOTING RIGHTS.—Each member of the corporation shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

SEC. 12. PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; AGENT TO ACCEPT SERVICE OF PROCESS.

(a) PRINCIPAL OFFICE.—The principal office of the corporation shall be located in a place to be determined by the board of directors, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States.

(b) AGENT.—The corporation shall maintain at all times at its principal office a designated agent authorized to accept service of process for the corporation. Notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

SEC. 13. OFFICERS; ELECTION.

The officers of the corporation shall consist of a chairman of the board of directors, a president, a vice president, a secretary-treasurer, and such assistant officers as the board of directors may designate. The officers shall be selected in such manner, for such terms, and with such duties as may be prescribed in the constitution and bylaws of the corporation.

SEC. 14. DISTRIBUTION OF ASSETS TO MEMBERS; LOANS.

(a) IN GENERAL.—No part of the income or assets of the corporation shall inure to the benefit of any member, officer, or director, or be distributable to any such person during the life of the corporation or upon dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) LOANS.—The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment of such loan.

SEC. 15. NONPOLITICAL NATURE OF CORPORATION.

The corporation shall be nonpolitical and, as an organization, shall not promote the candidacy of any person seeking public office.

SEC. 16. LIABILITY FOR ACTS OF OFFICERS AND AGENTS.

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

SEC. 17. BOOKS AND RECORDS; INSPECTION.

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any of the authority of the board of directors. It also shall keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

SEC. 18. USE OF ASSETS ON DISSOLUTION OR LIQUIDATION.

Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

SEC. 19. EXCLUSIVE RIGHT TO NAME, SEALS, EMBLEMS, AND BADGES.

The corporation shall have the sole and exclusive right to use the name of American Boxing Corporation as representing such corporation and such seals, emblems, and badges as the corporation may adopt.

SEC. 20. ANNUAL REPORT.

The corporation shall, on or before the first day of June of each year, transmit simultaneously to the President and to each House of Congress a detailed report of its operations for the preceding calendar year, including a full and complete statement of its receipts and expenditures and a comprehensive description of the activities and accomplishments of the corporation during the preceding year. Copies of the report shall be made available by the corporation to interested persons at a reasonable cost.

SEC. 21. AUDITS OF ACCOUNTS.

The provisions of sections 1102 and 1103 of title 36, United States Code, shall apply to the corporation.

SEC. 22. RESERVATION OF RIGHT TO AMEND OR REPEAL ACT.

The right to alter, amend, or repeal this Act at any time is hereby expressly reserved.

SEC. 23. DEFINITIONS.

For purposes of this Act—

(1) The term "boxing match" means a professional boxing match, or any part of such match, which is held within any State.

(2) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, and any other territory or possession of the United States.

Mr. MURPHY. Today the Subcommittee on Labor Standards begins consideration of H. R. 1689, introduced by my colleague Congressman Pat Williams, who will join us within moments.

For over 25 years the Congress has been concerned with abuses in the sport of professional boxing and has explored means of preventing those abuses, and protecting those whose livelihoods depend upon the sport.

Stories of mismatches, unqualified fighters, and unseemly transactions have been well reported. The result is the casting of a shadow over a sport which is enjoyed by millions, and whose champions have been idols for generations of American youth.

If boxing is to continue along a course of repeated violations the cries for a ban will increase to new levels. I believe that most Americans would like to see the sport continue, but to continue safely, fairly, and cleanly.

It is the objective of this committee to pursue means of enabling the sport to improve its systems of regulation, and provide reasonable standards of safety and equity.

Our first witness is to be Congressman Harry Reid of Las Vegas, NV; and Mr. Reid is on his way.

We will pass temporarily over Mr. Reid and call Mr. Bernie Manhoff, president of the National Veteran Boxers Association.

We will now be joined by Congressman Pat Williams of Montana.

Mr. Williams will make an opening statement while you are getting set up, Mr. Manhoff.

Mr. WILLIAMS. Mr. Chairman, I am pleased that we are having this hearing today to discuss one of my favorite topics, the sport of boxing. I commend you and your staff for the work in arranging this hearing. And also want to thank the witnesses, and guests, many who have traveled many miles to be with us.

Today's hearing is as timely as it is urgent. It was a quarter of a century ago that the late Senator Estes Kefauver first introduced legislation for major boxing reform. The long intervening years since then have brought not a solution but rather delay and inaction.

Today, as the boxing community knows, our sport is in trouble. The boxers, managers, promoters, and fans are all seeking a way to assure the continuation of the sweet science. We want boxing to go the distance.

Repeated promises by the boxing industry to put its house in order remain unfulfilled. State regulations have frayed into a patchwork of neglect, confusion, and too often, corruption.

Fair rules enforced by some States sadly end at the borders of neighboring States that provide no protection. And all the while the sport, feeding on lucrative broadcast contracts, has mushroomed in the number of boxers and bouts and in the toll of needless injuries, and too often, death.

Mr. Chairman, this spring I introduced this legislation, H.R. 1689, to bring reform to the sport. My bill and the topic of today's hearing, the American Boxing Corp., offers boxing the framework to achieve self-regulation without the dominating hand of the Federal Government intruding in the prizefight ring.

ABC, the American Boxing Corp., designed as a quasi-Federal commission, would serve as the central clearinghouse for model health and safety standards, and for a national registry of fighters. The corporation requires no Federal appropriation. Backed by a Federal charter, it is self-capitalizing and will be able to raise revenue through funding promotion.

The corporation also does not supersede State regulations. States will be asked to voluntarily come under the ABC's sanctioning authority and, in return, they will share in the corporation's profits and expertise in maintaining and upgrading boxing in their jurisdiction.

Eight of our fellow House Members have joined me in cosponsoring the American Boxing Corp. Each represent districts in States where professional boxing is a major sport. Since the legislation was introduced, I have received many inquiries and endorsements of the bill's concept from State officials, boxing enthusiasts, and fighters.

I hope to hear from some of the fighters this summer as further hearings are held on this bill.

We all share the same hope that the ABC will offer the protection and safeguards desired by the young men who labor in the ring for their lives and their families' livelihood. We all share the same worry that amidst growing threats from many quarters to ban boxing, the American Boxing Corp. perhaps is the last best hope for the full survival of our sport.

Mr. Chairman, this morning's agenda is full, I conclude now again thanking you and those who are taking part in this hearing.

Mr. MURPHY. Thank you very much, Congressman Williams.

We are now joined by Congressman Harry Reid of Las Vegas. I have invited him to sit at the table. He is going to wait and testify first.

We will proceed with Mr. Manhoff since he is at the witness table.

So, Mr. Manhoff, you may proceed.

STATEMENT OF BERNIE MANHOFF, PRESIDENT, NATIONAL VETERAN BOXERS ASSOCIATION

Mr. MANHOFF. Thank you.

To Members of Congress, I have been before you, and once again I tell you I am a former professional boxer and now president emeritus of the National Veteran Boxers Association, a nonprofit organization, pledged to support all improvements of the sport of boxing and to help former boxers in need.

We consist of exboxers, managers, trainers, and all people who are boxing enthusiasts. We have been involved with the good and welfare of boxing for many years.

The National Veteran Boxers Association advocates the bill H.R. 1689 as a step in the right direction, a new opportunity to unify our sport.

Several times over the years, Federal help was attempted by caring Members of Congress but, as we all know, died in the path of our system.

H.R. 1689 seems fair and less Government involved. At least it will be a start in refurbishing the declining boxing game. The bill put forth by Congressman Williams is in the right department, "Labor," as it effects thousands of eager contestants, trying to make their way in this world by boxing, probably the only way possible for them.

Boxing also affects millions of fans who are hungry for decent boxing shows, both on TV and local clubs. It is a great sport but, obviously, must be regulated for safety reasons, personnel, and the public interests.

Just this past May 21, NBC TV presented us with the Larry Holmes-Carl Williams championship fight. No big deal, but the show drew 29 percent of the public audience, outdoing the special program on Christopher Columbus. There must be a reason!

What happened to the art of self-defense? Boxing today is exploiting young boxers' courage and punching power. Self-defense doesn't seem to enter into the picture. Look back to names like Jack Johnson, Benny Leonard, Billy Conn, Joe Louis, Tommy Loughran, Ray Robinson, Sandy Sadler, Willie Pep, and loads more, all who fought many superbouts for the public. All defensive boxers.

Baseball, football, and basketball all require excellence in defense, as well as offense. Boxing has no requirements such as this. Maybe an organization like the one proposed can offer a solution to this problem.

A strong organization can straighten out these malfunctions and help educate the participants. It is time for boxing to improve and should be done now.

The National Veterans Boxers Association recommends the formation of the proposed American Boxing Corp. for all the reasons that handicap it, under the specifications of H.R. 1689. It is a breath of fresh air and it will be a good start for the future of boxing.

Let's get to it.

Mr. MURPHY. Thank you very much, Mr. Manhoff. We may have some questions for you later, but I would like to proceed with Congressman Reid since he has arrived.

So, if you have a little spare time you might be interested in hearing the rest of the hearing anyway.

Mr. MANHOFF. Certainly, I will be here. Shall I go back?

Mr. MURPHY. Please.

Mr. Reid.

STATEMENT OF HON. HARRY REID, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Mr. REID. Thank you, Mr. Chairman. I appreciate the opportunity of being able to appear to share my views on H.R. 1689.

This legislation, as you are aware, would create an American Boxing Corp. which has a stated purpose of "efficient oversight of professional boxing and the establishment of minimum health and safety standards for boxing."

I share the belief of the bill's sponsors that the time has come for a national commission with links to the Federal Government to concern itself with the sport of boxing. The bill calls for a corporation to be established which would encourage voluntary adherence by State athletic commissions with model guidelines for regulating the boxing industry.

And I want to stress the fact that compliance by States would and should be voluntary. The boxing industry in America needs guidance to encourage uniformity of standards and to better provide for the health and safety of the fighters.

Boxing does not need supervision by a Federal agency with mandatory powers which strips the States of their rightful control of their own boxing industries.

In Nevada, we have had a long and fruitful experience with boxing. I was privileged enough to have played a direct role in Nevada boxing as a judge with the Nevada State Athletic Commission.

I judged hundreds of fights, including a number of championship bouts. I think our experience in Nevada with the sport of boxing can be of considerable use to other States in helping them to regulate boxing to the benefit of the sport and its contestants.

In fact, one of the most important services which an American Boxing Corp. could provide would be to help States which have little experience with prizefighting to use the more experienced States like Nevada as a resource.

As I said, I favor the concept of an American Boxing Corp. to encourge uniformity of State standards regulating the boxing industry. I have a few reservations about the specific proposals contained in this legislation, which I will discuss in 1 minute.

But I consider my concerns with H.R. 1689, although they are serious, to be of relatively less importance than my general support for the concept of an American Boxing Corp. So I want to take a few moments to give you what benefit I can from my own and Nevada's experience with boxing.

The most important thing which an American Boxing Corp. could encourage State athletic commissions to bring to their oversight of boxing would be a commitment to the welfare of the fighters.

In Nevada, we always, of course, had to be concerned with preventing any illicit connections between the gaming and boxing industries. That we have done so without scandal for so many years is testimony to the care and integrity with which we oversee professional boxing.

All of the regulations in the world will not make for a clean and healthy boxing industry unless a State is committed above all to the safety and welfare of its boxers.

I believe that Mr. Rogich, I would in passing note, is a man who has an outstanding reputation in the State of Nevada, having been appointed by three separate Governors to be on the boxing commission, and has served as chairman for most of that period of time.

He will in his testimony outline what the most important regulations a State must enforce. So I just want to take 1 minute to note a few regulations which worked for us, but where an American Boxing Corp. could serve this Nation's boxing industry so well by promoting their adoption among all States.

Minimum and maximum ages for a boxer are quite important to maintaining a strong health and safety record. In Nevada, fighters must be at least 18 years of age and no older than 36.

This is an area, Mr. Chairman, where a boxers' medical history to prevent serious head injury should be looked into with regulations as we do in Nevada; and Mr. Rogich will go into this in more detail.

We don't allow people to box who have had a serious head injury. And we check a boxer's medical history to insure this regulation as best as we can.

This is an area where a national oversight body could be of immense benefit to all States, by facilitating the efficient and reliable exchange of information among member States about a boxer's age and medical history. This is made necessary by the great number of fighters who box in more than one State.

Another regulation which an American Boxing Corp. would be well advised to encourage among the States is a minimum waiting period between fights. In Nevada, a boxer must wait 2 days before fighting again after a 4-round bout, 4 days after a 6-round fight, 5 days after an 8-round match, 14 days after a 10-round bout, 21 days after a 12-round outing, and 30 days after a 15-round fight.

After a knockout, a boxer must wait 45 days and have an EEG and CAT scan performed to determine his fitness to fight again. Here again, if every State were encouraged to require such a waiting period it would help each individual State enforce such regulations by facilitating the exchange of information among State commissions and by enlarging the number of bodies working to enforce these regulations.

Too often today, waiting period regulations are hard to enforce in a State, like Nevada, which requires them, because many other States do not enforce them. Here again, the nationalization of standards would help individual States carry out these regulations.

Another example of a regulation required in Nevada, which might be adopted by other States, and the enforcement of which would be improved by the existence of a national oversight body is the passport license. In Nevada, a boxer must bring evidence of where he fought last.

Many times a fighter's last match was in another State. If that State did not require the passport license, then our information about that last fight might be pretty shaky. Here again, if all States were encouraged to require the passport license, then each State could count on having reliable information about a fighter's last match and the condition he emerged from it in.

These are a few examples of regulations which it would be wise for a national oversight body to encourage the adoption of among the States, standards whose enforcement would in turn be greatly facilitated by the national uniformity.

I want to close my remarks by expressing my concern on two matters. First, I am not satisfied with the plans—or lack thereof—for financing an American Boxing Corp. I share the commitment of the bill's sponsors not to take any money to fund the corporation from the national treasury.

But, I do not believe it is satisfactory to count on the Federal seal which the corporation would bear to attract private funding.

There is talk of a bond issue to help the corporation capitalize itself, and of seeking a percentage of the gross from certain fights within adhering States to provide financing.

I have nothing against either of these ideas. What is lacking is a delineated plan, a program spelled out in advance which would assure the Congress as much as is reasonably possible in advance of incorporation, that the body will adequately fund itself and would not become a drain on the Federal treasury. Until such a financing plan is laid out, I cannot support this legislation, despite my general approval of its goals.

Finally, I want to suggest that the American Boxing Corp. be established not as a permanent body whose existence is guaranteed into perpetuity, but instead that it be created under sunset legislation so that once it has done its job it can go out of existence.

A self-perpetuating bureaucracy is not what the American boxing industry needs. Instead, the present situation calls for an oversight body which will encourage uniformity of standards and regulations and which will professionalize the exchange of information among State athletic commissions.

Once these goals have been achieved, an American Boxing Corp. whose establishment I believe to be necessary, should fade gracefully from the scene.

I would be happy, Mr. Chairman, to answer any questions you or the members have.

Mr. MURPHY. Thank you very much, Congressman Reid.

I have one that comes to mind. Both you and Mr. Manhoff indicate that you want little or no Federal Government intervention except for the establishment of some type of a commission.

Why hasn't the boxing community—if this is all that is necessary—why hasn't the boxing community taken the initiative to establish a national commission before this?

Mr. REID. In my estimation, Mr. Chairman, boxing is not widespread—States that hold a lot of fights, of course, are Nevada, California, New Jersey now, and New York for many years—I just think there hasn't been enough work among the various States to do that.

There are a lot of problems that the States have. When a national televised fight comes into being—I don't know if Mr. Rogich will talk about this—in Nevada we have had a lot of difficulty getting information from promoters as to the contract they have. From the network as to what the contract they have with the promoter.

The State legislature recently, within the past week, has passed the law mainly upon urging of Mr. Rogich, to have the State be able to get the information from the networks. But there has been so much competition among the States to get various fights, in my opinion, that has been the biggest problem, there is too much competition to get the big fights.

Mr. MURPHY. The four States you mentioned, do they have rather uniform regulations or laws governing the condition of fighters?

Mr. REID. Some of the regulations are the same, but there again there is quite a bit of difficulty as to how the fights are judged. Some States have adopted some of the things we started in Nevada, having the referee not judge the fight, but rather have him only referee the fight and have three judges. The three knockdowns in a round has become fairly acceptable throughout those States. The counting prior to the last round after the bell rings has become fairly standard. However, I think Mr. Rogich could give you more details of that.

Mr. MURPHY. OK, Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chairman.

Harry, I appreciate your good testimony and particularly your interest in this legislation. I know that you have been eager to have a hearing on this bill and I also know that you are supportive of, as I am, having additional hearings and perhaps having them at a place and a time when active members of the boxing community can be present to either testify or to hear the testimony that is given. There are several great fight States in America, and certainly Nevada is one of them, and for a long time has been the leading fight State.

As you know, we had earlier scheduled a hearing for Las Vegas, NV and because of some miscommunications and scheduling difficulities we were unable to go ahead with that. I am still hopeful that we can do that and I am hopeful that you will agree again to take part in that hearing as you are in this one.

You mentioned toward the opening of your statement that boxing does not need supervision by a Federal agency which has mandatory powers to strip States of their rightful control. As you note, this legislation does not do that.

It seems to me, from having spent 7 years in this body with this issue, that the boxing community, despite its support for significant changes, has been unable to support previous legislation that has come before the Congress because it in fact did have mandatory authority over State commissions, and it has occurred to me that the Congress will not pass legislation which does not enjoy the support of the American boxing community. And thus, this legislation, as you have encouraged, does not have mandatory right to strip States of their own authority and support of boxing.

We want to see the State commissions continue, and we want to see them have authority; and my legislation attempts to do that.

The question that the chairman posed is one that almost always goes unanswered fully, and that is why we have gone this long with this important sport in America without more self-regulation. And perhaps the answer is that boxing, unlike most major sports, simply doesn't lend itself to centralized regulation. I guess the reason for that is that unlike other major sports, boxing doesn't have leagues so there is no easy way for boxing to regulate itself.

Boxing is simply neighborhood fights.

Mr. REID. And no teams.

Mr. WILLIAMS. No teams. So no leagues. So it is very difficult to find a legitimate way to have a centralized authority and yet not strip boxing of its own self-regulatory powers.

Has Nevada found any opposition to the minimum and maximum age standards which your State has set?

Mr. REID. Of course there is some individual people who complained but I think that is just a small minority. There can be in Nevada, after a full hearing, a waiver granted, if somebody in fact, is older.

To my knowledge, and again Commissioner Rogich can confirm this, that has only been waived on one occasion since this was adopted. I think there has been general acceptance of this. People don't want kids fighting, in effect, as professionals, as has happened in the past, and they don't want people who have, in effect, gone over the hill, and boxing is an individual sport that age 35 or so you are very fortunate if you can still be in the ring.

I think, Mr. Williams, that one of the things that has been of concern to me, a number of people, I think that all the different champions that we have, three or four heavyweight champions now, I think that is demeaning to the whole sport of boxing.

Mr. **Williams**. I agree.

Mr. **Reid**. Hopefully as your legislation indicates, this legislation would allow a review of that to determine how better champions in various divisions could be chosen. I think there is so much merit in this bill to, in effect, bring back confidence in the sport, which is something that simply outlawing, as some people have indicated, would be as futile as prohibition probably.

Mr. **Williams**. I am just calling on memory, but it seems to me Floyd Patterson was very near the championship and had not yet become 18 years of age. Though no one for certain knows Jersey Joe Walcott's age, it seems to me Jersey Joe Walcott was more than 36, and was champion of the world.

Mr. **Reid**. Of course we also had as I recall Floyd Patterson was 21 and——

Mr. **Williams**. He was fighting at 16, and at 17 he was well recognized.

Mr. **Reid**. I don't know about. I know he was, of course, a young man. In both of those instances, in Nevada, upon a full hearing with medical testimony, among other type of testimony, a waiver could have been granted to Archie Moore and Jersey Joe Walcott, and probably would have been because they were in great physical condition and they had been winning fights.

What you will find, and we found in Nevada, you will have a lot of people who are over the hill who are fighting simply to get another check in, and they really have been, they are getting hurt and they travel to other States, use other names, and that is where the problem arises.

Mr. **Williams**. Our bill allows such standards as minimum age and maximum age, to be determined. But rather than determining it here in the Congress by law we leave that to the six-person commission, three of whom must be very familiar with, if not experts in the sport. Before we introduced our bill, we at one time had such details as minimum and maximum ages in the bill.

As we showed the bill to some people within the boxing community, they thought that we had too many requirements, too many specific requirements, so we took the age limits out. It doesn't mean your suggestion might not be accepted.

Mr. **Reid**. See, Mr. Williams, these suggestions, these regulations are used in Nevada, several would be part of the information a six-member commission would look at to determine if there should be an age limit, whether you should start at 17 and go up to 38. But this would be part of what they would look at and they could use the history of what happened in Nevada.

Mr. **Williams**. Yes, it is a good recommendation.

With regard to the minimum waiting period, I have always been supportive of a minimum waiting period. Do you know whether we have any medical evidence that indicates that a minimum waiting period is beneficial to the health and condition of the fighters?

Mr. REID. I have no information, but I am sure again, Mr. Rogich could respond to that.

Mr. WILLIAMS. Fine. Finally, your concern about the capitalizing and funding of the ABC is also my concern. I share that with you. It may be that we want to tighten that up. I want to work with you, Harry, and I am trying to find a way to do that. We have been assured by some financial folks that once you have a Federal charter on American Boxing Corp. you are going to have no trouble capitalizing it through borrowed funds. That seems a little loose to me. I will want to work with you.

Mr. REID. I think that would be one of the real benefits we could get with the hearing such as you have talked about, because if one of the major fights is held in, let's say Las Vegas, Reno, some place, all of the financial minds of the fight world are usually gathered there, and I think with some testimony from promoters, matchmakers, fighters themselves, we could get a lot of information in that regard.

Mr. WILLIAMS. That was the reason I wanted to have the committee out there during the Hearns-Hagler fight because we were going to have so many people in town at that time that we were very interested in testifying on the bill and——

Mr. REID. There will be other fights.

Mr. WILLIAMS. When is your next fight out there, Harry?

Mr. REID. We will ask the commission when the next fight is.

Mr. WILLIAMS. We are on the same track, that is we need to go where the boxers are. As you can see, boxers have trouble coming to Capitol Hill.

Mr. REID. We would like to have you come to Nevada any time.

Mr. WILLIAMS. Thank you very much.

Mr. MURPHY. Thank you very much, Mr. Reid. We appreciate you being with us this morning. If you would care you may join us on the panel up here.

The next witnesses are two State commissioners of boxing that we have with us, the commissioner in the Nevada State Athletic Commission, Mr. Sig Rogich, and the commissioner from the New York State Athletic Commission, Mr. Jose Torres.

Whichever one would like to proceed, go ahead.

STATEMENT OF JOSE TORRES, COMMISSIONER, NEW YORK STATE ATHLETIC COMMISSION

Mr. TORRES. Thank you for inviting me to appear before your committee on this important subject. I have great interest in the sport of boxing, not only as a former light heavyweight champion of the world, but also as chairman of the New York State Athletic Commission. Boxing has been a part of my life for some 30 years and I am pleased to see Congress take an interest in its future.

Basically, the objectives of this bill are sound. We do need rules and regulations, particularly governing medical matters, that are standard throughout the United States. The Athletic Commission of New York State is a leading State in the concern for the protection of the fighters.

We have the most stringent medical regulations in this country, if not the world. We have been advised by other States that many of their rules and regulations are based on ours in New York State.

Recently, Governor Mario Cuomo wrote to the Governors of every State with a boxing commission, including Puerto Rico and the Virgin Islands suggesting the establishment of a national boxing commission which would implement many of the things this bill suggests, including standardized rules and regulations. And most importantly, put into effect a national centralized computer system which would receive information every time a fight is held, with the results of the fight and the physical condition of the participants. Presently, it takes several days or weeks before our computer receives information on fights held in other States.

Governor Cuomo has received several favorable letters from the Governors of these States, and I am submitting a copy of the rules and laws of the State of New York.

[The information follows:]

Laws and Rules Regulating

Boxing and Wrestling Matches

NYS Department of State
Division of State Athletic Commission
270 Broadway
New York, NY 10007
(212) 587-5700

1984

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Governor

Gail S. Shaffer
Secretary of State

José Torres
Chairman, NYS Athletic Commission

STATE OF NEW YORK

DEPARTMENT OF STATE

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STATE ATHLETIC COMMISSION

Commissioners

John R. Branca, *Chairman*

Jose Torres

James Dupree

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§8901. State athletic commission. The state boxing commission is continued as a division in the department of state under the name of the state athletic commission. The commission shall consist of three members who shall be appointed by the governor by and with the advice and consent of the senate. The governor shall designate one of the members as chairman of the commission. The members of the commission shall be appointed for terms of three years. Any vacancy in the membership of the commission caused otherwise than by expiration of terms shall be filled only for the balance of the term of the member in whose position the vacancy occurs.

The commissioners shall be paid their actual and necessary traveling and other expenses incurred by them in the performance of their official duties. The commission shall maintain in the city of New York general offices for the transaction of its business. The members of the commission shall adopt a seal for the commission, and make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient; and they may amend or abrogate such rules. Two of the members of the commission shall constitute a quorum to do business; and the concurrence of at least two commissioners shall be necessary to render a determination by the commission.

The commission shall annually make to the legislature a full report of its proceedings for the year ending with the first day of the preceding December and may submit with such report such recommendations pertaining to its affairs as it shall deem desirable.

§8902. Officers and employees. The commission may appoint, and at pleasure remove, deputies who shall be paid a salary within budgetary appropriations and all necessary expenses for traveling and maintenance incurred by them in the performance of their official duties outside of the city in which they are regularly employed. The commission may appoint, and at pleasure remove, a secretary to the commission, whose duty it shall be to keep a full and true record of all its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission and perform such other duites as the commission may prescribe. The secretary of the commission shall receive an annual salary within budgetary appropriations. The commission may employ such other officers, employees and inspectors as may be necessary to administer the provisions of this act and fix their salaries within the amount appropriated therefor by the legislature. The necessary traveling and other necessary expenses of the members of the commission, and the salary of its deputies and secretary, shall be paid monthly out of the state treasury on the warrant of the comptroller and the certificate of the chairman of the commission out of the money appropriated to be used therefor.

§8903. Subpoenas by commission; oaths. The commission shall have authority to issue, under the hand of its chairman, and the seal of the commission, subpoenas for the attendance of witnesses before the commission. A subpoena issued under this section shall be regulated by the civil practice law and rules.

§8904. Medical advisory board. 1. A medical advisory board is hereby created in the division of the state athletic commission, to consist of nine members, to be appointed by the governor. Of the members first appointed by the governor, three shall be appointed for terms of one year, three for terms of two years, and three members shall be appointed for terms of three years, from and after the date of their appointment. The governor shall designate one of such members as chairman of the advisory board. The term of a member thereafter appointed, except to fill a vacancy, shall be three years from the expiration of the term of his predecessor. Upon the appointment of a successor to the chairman of the advisory board, the governor shall designate such successor or other member of the advisory board as chairman. A vacancy occurring otherwise than by expiration of term, shall be filled by appointment by the governor for the remainder only of the term. Each member of the advisory board shall be duly licensed to practice medicine in the state of New York, and at the time of his appointment have had at least five years experience in the practice of his profession. The members of the advisory board shall receive such compensation as may be fixed by the commission within the amount provided by appropriation, and shall be allowed and paid necessary traveling and other expenses incurred by them, respectively, in the performance of their duties hereunder.

2. The advisory board shall have power and it shall be the duty of the board to prepare and submit to the commission for approval regulations and standards for the physical examination of professional boxers and wrestlers including, without limitation, pre-fight and /or post-fight examinations and periodic comprehensive examinations. The board shall continue to serve in an advisory capacity to the commission and from time to time prepare and submit to the commission for approval, such additional regulations and standards of examinations as in their judgment will safeguard the physical welfare of professional boxers and wrestlers licensed by the commission. The advisory board shall recommend to the commission from time to time such qualified physicians, for the purpose of conducting physical examinations of professional boxers and wrestlers, and other services as the rules of the commission shall provide; and shall recommend to the commission a schedule of fees to be paid to physicians for such examinations and other services as required by this act.

3. The advisory board shall develop appropriate medical education programs for all commission personnel involved in the conduct of boxing and sparring matches or exhibitions so that such personnel can recognize and act upon evidence of potential or actual adverse medical indications in a participant prior to or during the course of a match.

4. The advisory board shall review the credentials and performance of each commission physician on an annual basis as a condition of reappointment of each such physician, including each such physician's comprehension of the medical literature on boxing referred to in subdivision five of this section.

5. The advisory board shall recommend to the commission a compilation of medical publications on the medical aspects of boxing which shall be maintained by the commission and be made available for review to all commission personnel involved in the conduct of any boxing or sparring match or exhibition.

6. The advisory board shall also advise the commission on any study of equipment, procedures or personnel which will, in their opinion, promote the safety of boxing and wrestling participants.

§8905. Boxing and wrestling exhibitions authorized. No boxing, sparring or wrestling matches or exhibitions shall be conducted, held or given within the state except in accordance with the provisions of this act. The commission shall direct a deputy to be present at each place where boxing, sparring or wrestling matches or exhibitions are to be held pursuant to the provisions of this act. Such deputy shall ascertain the exact conditions surrounding such match or exhibition and make a written report of the same in the manner and form prescribed by the commission. Such boxing, sparring or wrestling matches or exhibitions may be held in any building for which the commission in its descretion may issue a license. Where such match or exhibition is authorized to be held in a state or city owned armory, the provision of the military law in respect thereto must be complied with, but no such match or exhibition shall be held in a building wholly used for religious services.

§8906. Jurisdiction of commission. The commission shall have and hereby is vested with the sole direction, management, control and jurisdiction over all such boxing, sparring and wrestling matches or exhibitions to be conducted, held or given within the state of New York and over all licenses to any and all persons who participate in such boxing, sparring or wrestling matches or exhibitions, except as otherwise provided in this act.

§8907. Corporations and persons required to procure licenses; professional boxer and wrestler defined. Except as otherwise provided in sections nine and nine-a of this chapter, all corporations, persons, referees, judges, match-makers, timekeepers, corporation treasurers, box office employees, ticket takers, doormen, ushers, professional boxers, professional wrestlers, their managers, trainers, seconds, announcers and special policemen shall be licensed by the commission, and no such corporation or person shall be permitted to participate, either directly or indirectly, in any boxing, sparring or wrestling match or exhibition, or the holding thereof, unless such corporation or persons shall have first procurred a license from the commission. The commission shall establish by rule and regulation licensing and training standards for referees, judges, managers, trainers and seconds. For the purposes of this chapter, a professional boxer or professional wrestler is deemed to be one who competes for a money prize or teaches or pursues or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain, and any contest conforming to the rules, regulations and requirements of this chapter shall be deemed to be a boxing match and not a prize fight.

§8908. License to corporations. 1. The commission may, in its discretion, issue a license to conduct, hold or give boxing, sparring or wrestling matches or exhibition, subject to the provisions hereof, to any person or corporation duly incorporated under the laws of the state of New York.

2. A prospective licensee must submit to the commission proof that it can furnish suitable premises in which such match or exhibition is to be held.

3. Upon written application and the payment of a fee of fifty dollars which must accompany the application, the commission may grant to any person or corporation holding a license issued hereunder, the privilege of holding such a match or exhibition on a specified date in other premises, or in another location, than the premises or location previously approved by the commission, subject however to approval of the commission and the rules and regulations of the commission.

4. All penalties imposed and collected by the commission from any corporation, person or persons licensed under the provisions of this act, which fines and penalties are imposed and collected under authority hereby vested shall within thirty days after the receipt thereof by the commission be paid by them into the state treasury.

§8909. Temporary working permits. The commission shall issue temporary working permits to box office employees, special policemen, ushers, ticket takers and doormen good for employment at a single exhibition, at a stated time and place. The fee shall be four dollars for a box office employee permit, two dollars for a special policeman permit, two dollars for an usher permit, two dollars for a ticket taker permit, and two dollars for a doorman permit. No person shall be entitled to obtain more than six temporary working permits in any one license year.

§8909-a. Temporary working permits for boxers, wrestlers, managers, trainers and seconds. The commission may issue temporary working permits to professional boxers, professional wrestlers, their managers, trainers and seconds. A temporary working permit shall authorize the employment of the holder of such permit to engage in a single match at a specified time and place. A temporary working permit may be issued if in the judgment of the commission the participation of the holder thereof in a boxing or wrestling match will be consistent with the purposes and provisions of this chapter, the best interests of boxing or wrestling generally, and the public interest, convenience or necessity. The commission may require that boxers applying for temporary working permits undergo a physical examination, neurological or neuropsychological test or procedure, including electroencephalography and computed tomography or medically equivalent procedure. The fee for such temporary working permit shall be ten dollars.

§8910. License fees; term of licenses; renewals. Each applicant for a license shall, before a license is issued by the commission, pay to the commission, an annual license fee as follows: corporations in cities of the first class, where the seating capacity is not more than two thousand five hundred, four hundred and fifty dollars; where the seating capacity is more than two thousand five hundred but not more than five thousand, seven hundred and fifty dollars; where the seating capacity is more than five thousand but not more than fifteen thousand, one thousand dollars; where the seating capacity is more than fifteen thousand but not more than twenty-five thousand, two thousand dollars; where the seating capacity is more than twenty-five thousand, two thousand five hundred dollars; in cities of the second class, three hundred dollars; elsewhere, one hundred fifty dollars; referees, fifty dollars; judges, fifty dollars; matchmakers, fifty dollars; corporation-treasurers, fifty dollars; box office employees, twenty dollars; time-keepers, ten dollars; professional boxers, ten dollars; professional wrestlers, ten dollars; managers, thirty dollars; trainers, ten dollars; seconds, ten dollars; ticket takers, ten dollars; doormen, ten dollars; ushers, ten dollars; special policemen, ten dollars; announcers, twenty dollars. Each license or renewal thereof issued pursuant to this section on or after October first, nineteen hundred thirty-eight, shall be effective for a license year expiring on the thirtieth day of September following the date of its issuance. The annual license fee prescribed by this section shall be the license fee due and payable therefor and shall be paid in advance at the time application is made therefor, and each such license may be renewed for periods of one year upon the payment of the annual license fee prescribed by this section. Within three years from the date of payment and upon the audit of the comptroller, the commission may refund any fee, unforfeited posted guarantee or tax paid pursuant to this act, for which no license is issued or no service rendered or refund that portion of the payment that is in excess of the amount prescribed by statute.

§8911. Application for license; fingerprints. 1. Every application for a license shall be in writing, shall be addressed to the commission, shall be subscribed by the applicant, and affirmed by him as true under the penalties of perjury, and shall set forth such facts as the provisions hereof and the rules and regulations of the commission may require.

2. When an application is made for a license under this act, the commission shall cause the fingerprints of such applicant, or if such applicant be a corporation, of the officers of such corporation, to be taken in duplicate. One copy shall be filed in the office of the division of criminal justice services at Albany, and one shall remain on file in the office of the commission. No such fingerprint may be inspected by any person, other than a peace officer, except on order of a judge or justice of a court of record. The information obtained by any such fingerprint examination shall be for the guidance of the commission in the exercise of its discretion in granting or withholding the license.

§8912. Standards for the issuance of licenses. 1. If in the judgment of the commission the financial responsibility, experience, character and general fitness of an applicant, including in the case of corporations its officers and stockholders, are such that the participation of such applicant will be consistent with the public interest, convenience or necessity and the safety of boxing and wrestling participants and with the best interests of boxing or wrestling generally and in conformity with the purposes of this act, the commission may grant a license in accordance with the provisions herein contained.

2. Any professional boxer applying for a license or renewal of a license under this chapter shall undergo a comprehensive physical examination including clinical neurological and neuropsychological examinations by a physician approved by the commission. If, at the time of such examination, there is any indication of brain injury, or for any other reason the physician deems it appropriate, the boxer shall be required to undergo further neurological and neuropsychological examinations by a neurologist including, but not limited to, a computed tomography or medically equivalent procedure. The commission shall not issue a license to a boxer until such examinations are completed and reviewed by the commission. The results of all such examinations herein required shall become a part of the boxer's permanent medical record as maintained by the commission. The costs of all such examinations called for in this subdivision shall be assumed by the state if such examinations are performed by a physician or neurologist approved by the commission.

3. Any professional boxer licensed under this chapter shall, as a condition of licensure, waive right of confidentiality of medical records relating to treatment of any physical con-

dition which relates to his ability to fight. All medical reports submitted to, and all medical records of the medical advisory board or the commission relative to the physical examination or condition of boxers and wrestlers shall be considered confidential, and shall be open to examination only to the commissioner or its authorized representative, to the licensed boxer or manager upon written application to examine said records, or upon the order of a court of competent jurisdiction in an appropriate case.

4. All contracts calling for the services of a boxer in a boxing contest and entered into by licensed promoting corporations, boxers or managers as one or more of the parties in such contracts, including those contracts which relate to the rights to distribute, televise or otherwise transmit any boxing bout over the airwaves or by cable shall be subject to the approval of the commission and copies thereof shall be filed with the commission by such corporation, boxer or manager within forty-eight hours after the execution of such contract and at least ten business days prior to any bouts, or the first of any series of bouts, to which they relate. The commission may waive such filing deadline for good cause shown.

§8913. Financial interest in boxer or wrestler prohibited. No corporation or person shall have, either directly or indirectly, any financial interest in a boxer or wrestler competing on premises owned or leased by the corporation or person, or in which such corporation or person is otherwise interested except pursuant to the specific written authorization of the commission.

§8914. Payments not be made before contests. No contestant shall be paid for services before the contest, and should it be determined by the commission that such contestant did not give an honest exhibition of his skill, such services shall not be paid for.

§8915. Sham or collusive exhibitions. Any person, including any corporation and the officers thereof, any physician, referee, judge, timekeeper, boxer, manager, trainer or second, who shall promote, conduct, give or participate in any sham or collusive boxing or sparring match or exhibition, shall be deprived of his license by the commission. No licensed promoting corporation or matchmaker shall knowingly engage in a course of conduct in which fights are arranged where one boxer has skills or experience significantly in excess of the other boxer so that a mismatch results with the potential of physical harm to the boxer. If such action occurs, the commission may exercise its powers to discipline under section seventeen of this chapter.

§8916. Imposition of penalties for violations. Any corporation, person or persons, licensed under the provisions of this chapter, that shall violate any rule or order of the commission or any provision of this chapter, in addition to any other penalty by law prescribed, shall be liable to a civil penalty of not exceeding five thousand dollars to be imposed by the commission, to be sued for by the attorney-general in the name of the people of the state of New York if directed by the commission. The amount of the penalty collected by the commission or recovered in any such action, or paid to the commission upon a compromise as hereinafter provided, shall be transmitted by the department of state into the state treasury and credited to the general fund. The commission, for cause shown, may extend the time for the payment of such penalty and, by compromise, may accept less than the amount of such penalty as imposed in settlement thereof.

§8917. Revocation or suspension of licenses. (a) Any license issued under the provisions of this act may be revoked or suspended by the commission for the reason therein stated, that the licensee has, in the judgment of the commission, been guilty of an act detrimental to the interests of boxing or wrestling generally or to the public interest, convenience or necessity.

(b) Without otherwise limiting the discretion of the commission as provided in this act, the commission may suspend or revoke a license or refuse to renew or issue a license, if it shall find that the applicant, or any person who is a partner, agent, employee, stockholder or associate of the applicant, has been convicted of a crime in any jurisdiction, or is associating or consorting with any person who has or persons who have been convicted of a crime or crimes in any jurisdiction or jurisdictions, or is consorting or associating with or has consorted or associated with bookmakers, gamblers or persons of similar pursuits, or has himself engaged in similar pursuits, or is financially irresponsible, or has been guilty of or attempted any fraud or misrepresentation in connection with boxing or wrestling, or has violated or attempted to violate any law with respect to boxing or wrestling in any jurisdiction or any rule, regulation or order of the commission, or shall have violated any rule of boxing or wrestling which shall have been approved or adopted by the commission, or has been guilty of or engaged in similar, related or like practices.

(c) No such contestant may, under any circumstances, compete or appear in such a match, exhibition or noncompetitive boxing within ninety days of having suffered a knockout in any such match or exhibition, or within forty-five days of having suffered a technical knockout where there is evidence of head trauma as determined by the attending commission physician and shall undergo such examinations as required under section twenty-five of this chapter. The contestant shall be considered suspended from boxing by the commission and shall forfeit his license to the commission during such period and such license shall not be returned to the contestant until the boxer has met all requirements, medical and otherwise, for reinstatement of such license. All such suspensions shall be recorded on the boxer's license by a commission official. For purposes of this section noncompetitive boxing shall include any contact training or sparring.

(d) The commission may at any time suspend, revoke or deny a boxer's license or temporary working permit for medical reasons.

§8918. Advertising matter to state admission price. It shall be the duty of every person or corporation promoting or conducting a boxing, sparring or wrestling match or exhibition subject to the provisions of this chapter to cause to be inserted in each show card, bill, poster, newspaper advertisement and in each and every advertisement of any exhibition or contest given by it, the price of admission thereto. Violation of the provisions of this section shall subject the person or corporation to a fine of one hundred dollars.

§8919. Tickets to indicate purchase price. All tickets of admission to any such boxing, sparring or wrestling match or exhibition shall bear clearly upon the face thereof the purchase price of same, and no such ticket shall be sold by such licensee for more than such price as printed thereon, or by any other person coming into possession of the same for a price in excess of fifty cents in advance of such printed price. It shall be unlawful for any person or corporation to admit to such contest a number of people greater than the seating capacity of the place where such contest is held. Violation of this section shall be a misdemeanor and shall be punishable as such and in addition shall incur forfeiture of license.

§8920. Equipment of buildings for exhibitions. All buildings or structures used or intended to be used for holding or giving such boxing, sparring or wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and fire escapes, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city, town or village where situated.

§8921. Age of participants and spectators. No person under the age of eighteen years shall participate in any professional boxing, sparring or wrestling match or exhibition, and no person under sixteen years of age shall be permitted to attend thereat as a spectator; provided, however, that a person between the ages of fourteen and sixteen shall be permitted to attend thereat as a spectator if accompanied by a parent or guardian.

§8922. Weights; classes and rules. The weights and classes of boxers and the rules and regulations of boxing shall be prescribed by the commission.

§8923. Regulation of conduct of matches or exhibitions. 1. No boxing or sparring match or exhibition shall be of more than fifteen rounds in length, such rounds to be not more than three minutes each; and no boxer shall be allowed to participate in more than fifteen rounds within seventy-two consecutive hours. The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of fifteen rounds. At each boxing or sparring match or exhibition except where the exhibitions are held solely for training purposes, there shall be in attendance a duly licensed referee who shall direct and control the same. Before starting such contest the referee shall ascertain from each contestant the name of his chief second, and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest. The commission shall have power in its discretion to declare forfeited any prize, remuneration or purse, or any part thereof, belonging to the contestants or one of them, or the share thereof of any manager if in its judgment, such contestant or contestants are not honestly competing or the contestant or manager of a contestant, as the case may be, has committed an act in the premises in violation of any rule, order or regulation of the commission. The amount so forfeited shall be paid within forty-eight hours to the commission. There shall also be in attendance, except where the exhibitions are held solely for training purposes, three duly licensed judges who, with the referee, shall at the termination of each such boxing or sparring match or exhibition render their decision. The winner shall be determined in accordance with a scoring system prescribed by the commission. Each contestant shall wear, during such contest, gloves weighing not less than eight ounces, unless otherwise directed by the commission. Thumbless boxing gloves of a type approved by the commission shall be used in all boxing matches or exhibitions, provided, however, that this requirement may be waived at the discretion of the commission for championship matches of at least twelve scheduled rounds. The provisions of this section shall apply to a wrestling exhibition except that the commission shall by rule and regulation prescribe the length or duration of such exhibition and the manner in which the wrestlers shall engage in such exhibition and such further safeguards and conditions as shall insure fair, sportsmanlike and scientific wrestling.

2. The commission may by rule, regulation or order, require the presence of any medical equipment and personnel at each boxing or sparring match or exhibition as is necessary or beneficial for the safety and protection of the contestants; and may also require the presence of an ambulance or other apparatus at the site of any such match or exhibition or the promulgation of an emergency medical plan in lieu thereof.

3. The commission shall prescribe by rule or regulation the responsibilities of managers, trainers and seconds prior to, during and after a boxing or sparring match or exhibition in order to promote the safety of the contestants at all times.

4. The commission shall require by rule or regulation that any professional boxer licensed under this chapter present to a designated commission official, before each match or exhibition in which he fights in this state, a license which shall include but not be limited to the following information: (a) the boxer's name, photograph, social security number, date of birth, and other identifying information; (b) the boxer's prior fight history including the dates, location, and decision of such fights; (c) the boxer's medical history, relating to any physical condition, medical test or procedure which relates to his ability to fight, and a record of all medical suspensions.

§8924. Rings. No boxing or wrestling contest or exhibition shall be permitted in any ring unless such ring has been inspected and approved by the commission. The commission shall prescribe standard acceptable size and quality requirements for rings and appurtenances thereto.

§8925. Examination by physician; cost. 1. All boxers must be examined by a physician designated by the commission before entering the ring and each such physician shall immediately file with the commission a written report of such examination. The cost of any such examination, as prescribed by a schedule of fees established by the commission, shall be paid by the corporation conducting the contest or exhibition to the commission, which shall then pay the fee covering such cost to the examining physician, in accordance with the rules of the commission.

2. Any professional boxer licensed under this chapter rendered unconscious or suffering head trauma as determined by the attending physician shall be immediately examined by the attending commission physician and shall be required to undergo neurological and neuropsychological examinations by a neurologist including but not limited to a computed tomography or medically equivalent procedure. Any boxer so injured shall not appear in any match or exhibition until results of such examinations are reviewed by the commission. The results of all such examinations herein required shall become a part of the boxer's permanent medical record as maintained by the commission and shall be used by the commission to determine whether a boxer shall be permitted to appear in any future boxing match or exhibition. The costs of all such examinations called for in this subdivision and subdivision three shall be assumed by the state if such examinations are performed by a physician approved by the commission.

3. The commission may at any time require a licensed boxer to undergo a physical examination, including any neurological or neuropsychological test or procedure.

§8926. Physician to be in attendance. It shall be the duty of every person or corporation licensed to conduct a boxing or sparring match or exhibition, to have in attendance at every boxing or sparring match or exhibition, at least one physician designated by the commission as the rules shall provide. The commission may establish a schedule of fees to be paid by the licensee to cover the cost of such attendance. Such fees shall be paid to the commission, which shall then pay such fees to the physicians entitled thereto, in accordance with the rules of the commission.

§8927. Bond. Before a license shall be granted to a person or corporation to conduct a boxing or sparring match or exhibition, the applicant shall execute and file with the comptroller a bond in an amount to be determined by the commission, to be approved as to form and sufficiency of sureties thereon by the comptroller, conditioned for the faithful performance by said corporation of the provisions of this act and the rules and regulations of the commission, and upon the filing and approval of said bond the comptroller shall issue to said applicant a certificate of such filing and approval, which shall be by said applicant filed in the office of the commission with its application for license, and no such license shall be issued until such certificate shall be filed. In case of default in such performance, the commission may impose upon the delinquent a penalty in the sum of not more than one thousand dollars for each offense,which may be recovered by the attorney-general in the name of the people of the state of New York in the same manner as other penalties are recovered by law; any amount so recovered shall be paid into the treasury.

§8928. Bond for purses, salaries and other expenses. In addition to the bond required by section twenty-seven, each applicant for a license to conduct a boxing or sparring match or exhibition shall execute and file with the comptroller a bond in an amount to be determined by the commission to be approved as to form and sufficiency of sureties thereon by the comptroller, conditioned for and guaranteeing the payment of boxers' and wrestlers' purses, salaries of club employees licensed by the commission, and the legitimate expenses of printing tickets and all advertising material.

§8929. Payments to state. 1. Every individual, corporation, association or club holding any professional or amateur boxing, sparring or wrestling match or exhibition, for which an admission fee is charged or received, shall notify the athletic commission ten days in advance of the holding of such contest, and shall pay to the department of state five and one-half per centum of the total gross receipts, exclusive of any federal taxes paid thereon, provided, however, that the filing deadline may be waived for good cause shown. For the purpose of this section the total gross receipts of every individual corporation, association or club holding such contest, and upon which said five and one-half per centum is to be computed, shall include the gross price chargeable for the sale, lease or other exploitation of broadcasting, television and motion picture rights of such contest, to the extent only however that such price shall be attributable to transmissions received or exhibited in this state, and without any deductions whatsoever for commissions, brokerage, distribution fees, advertising or any other expenses, charges and recoupments in respect thereto. Such payments, excepting for motion picture rights, shall be made within forty-eight hours after the holding of the contest and shall be accompanied by a report in such form as shall be prescribed by the department of state. The payment of tax on gross income received from the sale of motion picture rights, shall be made at the end of the month after the date of the contest and continued every thirty days thereafter during the presentation of the picture, and shall be accompanied by a report in such form as shall be prescribed by the department of state. All tickets of admission to any such boxing, sparring or wrestling match or exhibition shall be procured from a printer duly authorized by the state athletic commission to print such tickets and shall bear clearly upon the face thereof the purchase price and location of same. Any individual, corporation, association or club failing to fully comply with this section shall be subject to a penalty of fifty dollars in addition to the tax due with interest for each violation, to be collected by and paid to the department of state. Any individual, corporation, association or club is prohibited from operating any shows or exhibitions until all taxes and penalties due have been paid.

2. Any violation of this section shall be a misdemeanor and shall be punishable as such.

§8930. Disposition of receipts. All receipts of the commission shall be paid into the state treasury.

§8931. Exceptions. The provisions of this act except as provided in section twenty-nine thereof shall not be construed to apply to any sparring, boxing or wrestling contest or exhibition conducted under the supervision or the control of the New York state national guard or naval militia where all of the contestants are members of the active militia; nor to any such contest or exhibition where the contestants are all amateurs, sponsored by or under the supervision of any university, college, school or other institution of learning, recognized by the regents of the state of New York; nor to any such contest or exhibition where the contestants are all amateurs sponsored by or under the supervision of the U.S. Amateur Boxing Federation or its local affiliates or the American Olympic Association. For the purpose of this act, an amateur is deemed to mean a person who engages in boxing, sparring or wrestling contests and exhibitions where no cash prizes are awarded to participants, and where the prize competed for shall not in value exceed thirty-five dollars or, in boxing, a maximum amount established by the U.S. Amateur Boxing Federation. Any individual, association, corporation or club, except elementary or high schools or equivalent institutions of learning recognized by the regents of the state of New York, who or which conducts an amateur contest pursuant to this section must register with the U.S. Amateur Boxing Federation or its local affiliates and abide by its rules and regulations.

§8932. Safety headgear. The commission shall undertake a study of various types of safety headgear that may be used by boxers during the course of a contest or bout. The commission shall develop, or shall contract to develop, a safety headgear prototype during the course, and in furtherance, of the study to be conducted hereunder. Such study shall include the safety and effectiveness that the wearing of various types of headgear may demonstrate, including the ramifications that the wearing of headgear may have on the sport of boxing and the psychological effect it may have on the boxers. The commission shall make a written report of its findings from such study, including any appropriate recommendations, to the governor and the legislature no later than one year from the date this section takes effect.

§8933. Misdemeanor. Any person or corporation who directly or indirectly conducts, holds or gives boxing, sparring or wrestling matches or exhibitions or participates either directly or indirectly in any boxing, sparring or wrestling match or exhibition as a referee, judge, match-maker, time-keeper, corporation treasurer, box office employee, professional boxer, professional wrestler, manager, trainer, second, announcer, or special policeman, without first having procured an appropriate license as prescribed in this act shall be guilty of a misdemeanor.

Nothing herein contained shall be deemed to apply to amateur exhibitions.

RULES OF STATE ATHLETIC COMMISSION

Rules and Regulations of the New York State Athletic Commission adopted on June 29, 1956 as amended to May 1, 1984 pursuant to the provisions of section 8901 of the Unconsolidated Laws of the State of New York, formerly known as the Laws of 1920, Chapter 912, as amended.

PART 205

THE COMMISSION, ITS POWERS AND PROCEDURES

Section 205.1 Office hours. The general offices of the commission shall be located at 270 Broadway, in the City of New York, and the office hours of the commission shall be from 9 a.m. to 5 p.m. each day, except Saturday, Sunday and legal holidays in the State of New York. The commission may establish office hours on Saturdays and holidays within its lawful discretion as required.

205.2 Suspension of license. The commission may suspend any license it has hitherto issued by a dated notice to that effect, mailed to the licensee, and specifying the effective date and term of the suspension. Such suspension shall be without any advance hearing but upon the receipt of such notice of suspension, the suspended licensee may apply to the commission for a hearing on the matter to determine whether such suspension should be revoked. Such application for a hearing must be in writing and must be received by the commission within 30 days after the date of notice of suspension.

205.3 Revocation of license. (a) Before any license is revoked by the commission, the licensee will be notified to attend a hearing of the commission and to show cause at such hearing why the license should not be revoked. Notice of such hearing shall be dated and shall contain the alleged misconduct of the licensee upon which the contemplated revocation is predicated. Before or upon the return date of a notice to a licensee why he or it should not show cause why the license should not be revoked, the licensee may appear in person or by his or its attorney. If such licensee shall appear, after such appearance has been noted or filed and before any application for an adjournment, or otherwise, shall be made, the licensee shall interpose his or its answer to the specifications mentioned in the charges. This shall be done by separately admitting or denying the specifications mentioned in the said charges.

(b) At any stage of the proceedings, the commission may require the licensee to take the stand and give sworn testimony.

(c) In the event that the licensee does not appear at such a hearing, or, if having appeared, the facts and evidence adduced at such hearing warrant, in the discretion of the commission, a revocation of such license, such license shall be revoked and notice of such revocation shall be promptly mailed to the licensee.

205.4 Authority of commissioner or deputy. At all contests and exhibitions, each commissioner and each deputy shall have the full power to act on behalf of the commission to fully enforce all the rules of the commission and each official has the power and authority to immediately suspend, without prior notice, any licensee for any violation of this Chapter or of the laws of this State.

205.5 Commission bulletins. The commission shall from time to time issue bulletins concerning suspensions, revocations, fines, penalties and new rules. All licensed corporations and matchmakers must keep the commission bulletin on file.

205.6 Minutes of commission meetings. Minutes of all commission meetings shall be transcribed and kept on file at the office of the commission. The records of the medical advisory board shall not be available for public inspection unless the commission is served with a subpoena therefor, issued by a court of competent jurisdiction.

205.7 Amendment of rules. The rules of this commission, or any one of them, may be suspended, amended, revised or recodified at any meeting of the commission. Any amendment of the rules shall be published by the commission in a bulletin and announced publicly at the office of the commission.

205.8 Commission hearings. At all hearings conducted by the commission, the witnesses and licensees must testify under oath, which may be administered to them by any commissioner present. The commission shall be the sole judge of the relevancy and competency of the testimony, the credibility of the witnesses, and the sufficiency of the evidence.

205.9 Papers filed with commission. All applications, records or other papers and documents filed or submitted to the commission or to the medical advisory board or at any hearing, become the property of the commission.

205.10 Records of licensee available for inspection. All the books and records of any licensee of this commission, or of any partnership of which he is a partner or of any corporation of which he is an officer, director or stockholder and which directly or indirectly concern boxing or wrestling, shall, at all times, be subject to the inspection of the commission at such times and under such circumstances as the commission may direct from time to time.

205.11 Personnel changes in corporate licensee. The commission shall be notified immediately of any new or additional officers, stockholders or directors and any changes in such corporate licensee shall be upon notice to and with the consent and approval of the commission.

205.12 Violation of State laws or commission rules by licensee. (a) Any licensee who violates the laws of the State of New York or the rules of this commission, may have his license revoked or may be fined, suspended, or otherwise disciplined, in such manner as the commission may direct. The commission shall have the power, in its discretion, to declare forfeited any purse, or any part thereof, belonging to the contestants or either of them or, the share thereof of any manager, if it has reason to believe, such contestant or contestants, or manager of a contestant, as the case may be, has committed an act in violation of any rule or regulation of the commission.

(b) The amount so forfeited shall be paid within 48 hours to the commission. Such purse shall be held by the commission until there is a final determination whether such violation has in fact been committed.

205.13 Imposition of fine upon licensee. Where a fine has been imposed upon a licensee, his license may, in the judgment of the commission, be suspended until such fine has been paid.

205.14 Registered address of licensee. All commission bulletins and notices to any licensee shall be addressed and sent to such licensee at the registered address of such licensee. The registered address of any licensee shall be his or its address as specified in his or its application for a license, and in the event any licensee moves, he must promptly file with the commission an appropriate change-of-address rider to such application. All licensees are bound by the notices and bulletins sent to their registered addresses, and the commission will not entertain any plea or request based upon the contention that such notice or bulletin was not sent to any other known or more frequented address of the licensee.

205.15 Disqualification of women. No women may be licensed to compete in any boxing or wrestling exhibition with men.

205.16 Persons prohibited from holding financial interest in contestant. No official or employee of this commission or of any of its medical panels or advisory boards and no judge or referee, licensed by this commission, may directly or indirectly have any financial interest whatsoever in any boxer, wrestler, promoting corporation, or in any manager's contract with any licensed athlete or in any assignment thereof.

205.17 Managers' records. Managers shall keep accurate records of the receipts and expenses of the boxers under their management and control.

205.18 Financial reports. A manager of a boxer participating in a main event contest shall file with the commission, no later than five days after the contest, a report in triplicate listing the expenses and division of the proceeds of the contest. These reports are to be on forms supplied by the commission. A copy of this report shall forthwith be sent by the commission to the boxer.

205.19 Issuance of a license to box. (a) In order to obtain a license to box, and before each contest or exhibition in which he fights or spars, a boxer must present to a designated commission official the following information:

(1) the boxer's name, a current photograph, social security number, date of birth, and other identifying information;

(2) the boxer's prior fight history including the date, location, name of opponent and decision of such fights; and

(3) the boxer's medical history relating to any physicial condition, medical test or procedure which relates to his ability to fight, and a record of all medical suspensions.

(b) In addition, the boxer must present the designated commission official with each and every "passport" or other license to box issued to the boxer by a state, country or association.

PART 206
CONTRACTS

Section 206.1 How contract must be executed. Contracts between boxers and managers and between boxers or managers and licensed promoting corporations shall be executed on printed forms approved by the commission, and such forms shall be issued by the commission upon request to licensed boxers, managers and promoting corporations.

206.2 "Low-blow" clause mandatory. All contracts between a boxer and a licensed promoting corporation for the services of a boxer in a boxing contest, shall contain the following paragraph: "The party of the first part agrees to equip himself with a foul-proof guard of his own selection, type to be approved by the commission, which will obviate the necessity of any claim being made for a low blow during the contest. It is expressly understood that this contest is not to be terminated by a low blow, as the protector selected by the party of the first part, is, in his opinion, sufficient protection to withstand any so-called low blow which might incapacitate the said boxer."

206.3 Filing of contract between managers and boxers. A copy of all contracts entered into between managers and boxers must be placed on file with the commission for approval. A contract, however, becomes null and void if at any time during its term the manager or boxer loses his license through affirmative action by the commission by revocation for misconduct of the licensee or by refusal of the commission to issue or renew the license upon formal application and not otherwise. A boxer is permitted to have one manager only and no manager is allowed to participate in more than 33⅓ percent of the ring earnings of the boxer. No assignment of any part or parts of the boxer's or manager's interest in a contract, filed and approved by the commission, will be permitted without the approval and consent of the commission, and the consent to assign will not be granted unless a copy of the proposed assignment is submitted to the commission for its approval. No licensee is permitted to work with a boxer without the written consent of the manager of record.

206.4 Execution of minor's contract. Contracts to which a minor is a party, must be executed on behalf of such minor by the proper legal guardian of such minor.

206.5 Validity of contract between manager and boxer. A contract is not valid between manager and boxer unless both parties appear at the same time before the commission and receive its approval unless otherwise directed by the commission.

206.6 Execution of contract by boxer mandatory. All boxers must carry out all the terms and conditions of the contracts to which they are a party, and any boxer failing to fulfill the terms of any such contract will be subject to the disciplinary action of the commission. Any boxer who becomes ill or is injured prior to a contest must immediately report such illness or injury to the commission and report for any medical examinations directed by the commission. Any boxer who, without the specific authority of the commission, fails to timely appear for any examination or weigh-in scheduled by the commission or fails to timely appear at the place of contest pursuant to Rule 216.12 shall be subject to a fine and/or the suspension of his license for a period of up to one year.

206.7 Illness, injury or other default. Any boxer who becomes ill or is injured prior to a contest must immediately report such illness or injury to the commission and report for any medical examinations directed by the commission. In the event that either no such claim is made or if made, is rejected by the commission, the commission may fine and/or suspend or revoke the license of the defaulting boxer, awarding the amount of any forfeit posted under the terms of the contract to the opponent of the defaulting boxer and/or declare the defaulting boxer ineligible for any other bout until all the terms of the breached contract have been filled by such boxer. Any boxer who, without the specific authority of the commission, fails to timely appear for any examination or weigh-in scheduled by the commission or at the place of contest pursuant to section 216.12 of this Title shall be subject to a fine and/or the suspension of his license for a period of up to one year.

206.8 Bout contracted to occur after expiration of manager's contract with boxer. No manager shall be allowed to contract for the services of a boxer under his management for a bout to take place on a date after the expiration of the contract between the manager and his boxer, unless such bout has been approved in advance by the commission.

206.9 Use of boxer's true name in signing contract. The commission will not approve any contract for the services of a boxer unless such contract is signed by the boxer under his true and legal name, but if he is licensed to box in this State under any other name, he may sign the contract under his licensed name provided that his true name appears in the body of the contract as the name under which he is otherwise known.

206.10 Condition for approval of contracts for bouts. Contracts for a bout will not be approved by the commission unless both boxers have signed contracts with the same licensed promoting corporation.

206.11 Minimum payment to boxers in main bout. In all such contracts for bouts the minimum percentage of the receipts to be paid for boxers in the main bout shall not be less than 10 percent for each contestant, and all payments of any nature to be paid each main bout boxer must be specified.

206.12 Persons who may sign contract for bout. Except as provided in section 206.4 of this Part, contracts must be signed by the boxer's manager, on the boxer's behalf, or personally by the boxer when he has no licensed manager of record, unless otherwise directed by the commission.

206.13 Time for filing contract for bout with commission. All contracts between licensed promoting corporations and any boxer or manager of a boxer affecting or calling for the services of a boxer shall be filed with the commission by such corporation within 48 hours after the execution of such contract and at least 48 hours prior to any bouts to which they relate.

206.14 How payment for services must be made. All compensation to boxers shall be made by check payable jointly to the participating boxer and his licensed manager who shall sign receipts for such payment. No boxer shall be paid or receive any portion of his purse, except for training expenses, prior to the conduct of the bout, without approval of the commission. No boxer shall be paid or receive compensation in the form of an irrevocable letter of credit or other such form of payment which would preclude the commission from withholding that boxer's purse should it determine that he gave or participated in a sham or collusive boxing or sparring match or exhibition. All compensation to wrestlers shall be made by check payable to the participating wrestler who shall sign a receipt for such payment. No payment shall be made to any person or party other then as set forth unless the commission has in advance approved all the details of the transaction.

206.15 When bout or exhibition may be publicly announced. No licensed promoting corporation, matchmaker, manager, boxer, or wrestler, may publicly announce or advertise that any bout or exhibition will take place unless such bout or exhibition has been formally approved by the commission. Licensed promoting corporations must notify the commission of any proposed contest or exhibition, including in such notice the full details of such contest or exhibition, at least five days before the scheduled date of such contest or exhibition.

206.16 Negotiations for a bout with person other than manager of record. Whenever any promoter or matchmaker is negotiating for a bout with any person or party who is not the manager of record for the boxer involved, the matchmaker must sign a form supplied by the commission indicating the identity of the boxer and the representative, the compensation of the representative, and by whom such compensation is to be paid.

206.17 Boxing Guild of New York. The license of any person, who after the 15th day of January, 1956, shall become or remain a member of an organization or group known as Boxing Guild of New York, affiliated with the International Boxing Guild, shall be revoked or suspended upon the ground that such membership is an act and conduct detrimental to the interests of boxing generally and to the public interest, convenience and necessity.

206.18 Broadcast or telecast of bout. All contracts entered into by any licensee of the commission or any and all amendments, changes or modifications calling for or referring to any motion picture, telecast or radio broadcast of any bout, exhibition or match must be promptly filed with the commission for approval, and no person or party may announce or conduct any such broadcast to telecast of any bout, exhibition or match conducted under the jurisdiction of the commission without first obtaining the approval of the commission.

206.19 Licensing and training standards for managers. Prior to the issuance of a license of a boxing manager, an individual must pass a written and/or oral examination relating to the commission's rules and regulations. In addition, prior to the issuance of a license to a manager, the manager must exhibit a knowledge of the background, skills and experience of each boxer the manager seeks to place under contract. In addition, licensed managers of professional boxing must periodically, as mandated by the commission, attend seminars relating to the rules and regulations of the commission and skills as a manager of professional boxers.

PART 207

TICKETS FOR CONTESTS AND EXHIBITIONS

Section 207.1 Marking of press tickets. All tickets issued to the press shall be marked "Working Press." The rows of working press tickets shall be consecutively lettered and each seat numbered. Only six such rows are allowed unless the commission authorized any different number. There must be an adequate aisle space between the end of the working press section and the beginning of the ringside section.

207.2 Conditions to be met before tickets are sold. The sale of tickets for any proposed contest or exhibition is prohibited until plans and statements showing the seating arrangements and the location of tickets of each price have been approved by the commission, and until the aisle spacing, the exit facilities and the location of fire appliances have been approved by the appropriate county or municipal authority.

207.3 Indication of location on ringside or press tickets. Tickets marked "Ringside" or marked "Working Press" must indicate their actual location, in accordance with the following examples:

	Working Press		
	Section	Row	Seat
Working Press ticket	10	A	1
	Ringside		
Ringside ticket	10	1	1

207.4 Complimentary tickets. All complimentary tickets shall be so designated in the manner approved by the commission and shall be priced and printed to include not only taxes but such service charges and National Sports Alliance Fund contributions as the commission may from time to time direct or approve. The numbers of such complimentary tickets issued for each event must be approved by the commission. The issuance of cut-rate tickets must be approved in advance by the commission.

207.5 Persons excused from holding tickets. No person with the exception of (a) the members of the commission; (b) persons designated by it for official duty; (c) the officials required to attend under provisions of State laws or the commission's rules; (d) the principals, managers and seconds who are involved in the contests or exhibitions; and (e) the policemen, firemen and other public officials actually on duty; shall be admitted to any contest or exhibition unless he holds a ticket of admission. For the above-excepted classes appropriate admission tickets may be issued in such number and in such form as is approved by the commission.

207.6 Licensed printers of tickets. Licensed corporations may sell or distribute only tickets obtained from a printer licensed by the Secretary of State. Such tickets shall be printed and made in such form as the commission may in each case direct. Licensed printers must mail to the commission, at least 24 hours before the exhibition or contest for which such tickets are to be used, a sworn manifest of all tickets delivered to the licensed corporation.

207.7 Reports required by commission. The authorized representative of any licensed corporation holding a contest or exhibition must submit in writing to the commission within 48 hours after the close of the contest or exhibition, an "Athletic Tax Report" showing the number of each class of tickets sold, unsold or unused, and permit the commission to examine all sold, unsold or unused tickets, stub coupons, the financial records of the event, and investigate all other matters relating to the receipts and conduct of the box office and ticket takers. The ticket tally must conform to the manifest issued by the licensed printer and an "Inspector's Financial Statement" for the particular contest or exhibition must be approved and signed by: (a) the deputy commissioner in attendance or by the acting commission official in charge; (b) by the commission inspectors making the count; and (c) by the authorized representative of the licensed corporation promoting the event. An "After Contest Report" shall be submitted by such corporation within 48 hours after the close of the contest on such form as may be from time to time required by the commission, and including the payments to the competitors and officials and the manner and form in which such payments were made.

207.8 Reserved seating chart. Licensed corporations must have available in their main box office a chart which plainly indicates the location of all reserved seats.

207.9 Selling tickets at discount or in excess of price printed thereon. Without the consent of the commission or of the representative in charge, licensed corporations are prohibited from selling any tickets for any price other than the price printed thereon, or to change the price of tickets at any time after tickets for the contest or exhibition have been placed on sale, or to sell any tickets at any time during the contest or exhibition for a price less than tickets for similar seats were sold or offered before the exhibition or contest. Licensed corporations must be vigilant to prevent speculation in tickets.

207.10 How tickets shall be printed. Tickets for reserved seats shall be printed with a stub to be retained by the purchaser and there shall be a new set of such tickets printed for every exhibition or contest. General admission tickets shall be printed with such stub and shall be consecutively numbered. No exchange of tickets shall be made anywhere except at the box office of the licensed corporation, and no tickets shall be sold after the main event has commenced. Tickets of different price must be printed in different distinctive colors unless otherwise sanctioned by the commission.

207.11 Unsold tickets. All parties and persons promoting boxing or wrestling shows must deliver all unsold tickets to the commission and a complete report on all tickets sold. After the unsold tickets have been returned by the commission, such persons or parties must hold all the unsold tickets and all the stubs of sold tickets for a period of six months.

207.12 Standing room or roll tickets. No standing room or roll tickets are to be sold for any contest or exhibition without the approval of the commission and of the appropriate local or municipal safety departments.

207.13 Seller's right to cancel ticket privileges. All tickets of admission to boxing and wrestling matches held in licensed clubs in the State of New York must have printed thereon the following legend:

This ticket is sold and purchased upon the express understanding that it is and shall be a personal license and not transferable. The issuer hereby reserves the right to cancel the privileges of this ticket and refund the money to the purchaser for any violation by the purchaser of the rules of this commission.

207.14 Supervision of ticket sale by treasurer. The treasurer of each licensed corporation shall, in addition to other duties which may be prescribed for him, supervise the sale of tickets to the general public and prepare the necessary and proper tax returns as are required by law.

207.15 Duties of box office employees. Box office employees of each licensed corporation shall assist the corporation treasurer in the sale of tickets and cooperate with commission representatives in the tabulating of the receipts as well as the counting of sold and unsold tickets directly after the main bout enters the ring.

207.16 Persons to whom tickets may not be issued. No known gambler nor any person whose license has been revoked by the commission for conduct detrimental to the best interests of boxing or wrestling may be issued a ticket or admitted to any boxing or wrestling program conducted by a promoting corporation licensed by the commission.

PART 208
CONDUCT OF LICENSEES

Section 208.1 Completion of training in State of New York. Unless otherwise authorized by the commission, the last five days of training of principals in main events of boxing programs must be completed in the State of New York. The training quarters of each such principal is subject at all times to inspection by representatives of the commission, and the expenses incurred for such inspection shall be borne by the licensed corporations promoting the program.

208.2 Duty to safeguard premises. All promoting corporations licensed by the commission are required to make such arrangements to safeguard the premises where boxing bouts or wrestling exhibitions are conducted so as insure to the commission's satisfaction that adequate protection against riot, stampede or disorderly conduct has been provided. Any disorderly act, assault or breach of decorum on the part of any licensee at such premises is prohibited and a violation of this section subjects the offending licensee to such penalties as the commission may thereafter decide.

208.3 Number of manager's boxers on program. No manager is permitted to have more than one boxer whom he manages compete on any one boxing program without the special permission of the commission.

208.4 Duty of licensee to report offer to conduct sham or collusive contest. Whenever any person or party licensed by the commission is approached with a request or a suggestion that the licensee participate in, contribute to or aid and abet a sham or collusive contest, or a contest that is not to be conducted honestly and fairly, such licensee must immediately report the entire matter and the full circumstances to the commission, and failure to report shall subject the licensee to such disciplinary action as the commission may thereafter decide.

208.5 Mandatory resting period for boxers between bouts. If a boxer has competed anywhere in a bout of six rounds or more, he shall not be allowed to box in this State until seven days have elapsed since his last bout. If a boxer has competed anywhere in a four-round bout, four days must elapse before his next bout.

208.6 Use of assumed names by boxers and wrestlers. Boxers and wrestlers may use and be licensed under assumed names, provided the use of such assumed names is approved by the commission. No person may be licensed as a boxer or wrestler under the name of, or a name deceptively similar to the name of any other boxer or athlete.

208.7 Negotiating with person whose license is suspended or revoked. No licensed matchmaker, nor any licensed promoting corporation, nor any person or party employed or connected with such corporation shall enter into a contract or commence negotiations for any bout or exhibition with any boxer, wrestler and/or manager of such boxer or wrestler if the license of either the boxer, wrestler or manager has been suspended or revoked by the commission.

208.8 Duty to provide insurance for licensed boxer and wrestlers. All persons, parties or corporations having licenses as promoters will continuously provide insurance for the protection of licensed boxers and wrestlers, appearing in boxing bouts or wrestling exhibitions. Such insurance coverage shall provide for reimbursement to the licensed athlete for medical, surgical and hospital care, with a maximum limit of $750 for injuries sustained while participating in any program operated under the control of such licensed promoter and for a payment of $10,000 to the estate of any deceased athlete where such death is occasioned by injuries received during the course of a program in which such licensed athlete participated under the promotion or control of any licensed promoter.

208.9 Effect of failure to pay insurance premiums. The failure to pay premiums on such insurance as is required by this Part or by law shall be cause for the suspension or the revocation of the license of such defaulting promoting corporation.

208.10 Duty to inform commission of boxer's or wrestler's illness. All licensed promoting corporations, licensed matchmakers and licensed managers must promptly furnish the commission with all information concerning a boxer's or wrestler's illness or other reason for his failing to fulfill any contract, and such information must be submitted to the commission before its release to the press and before any such boxer or wrestler is in any way relieved from his contractual obligations.

208.11 Effect of reporting boxer or wrestler ill. Any boxer or wrestler who is reported ill may be placed upon the ill and unavailable list and will not be reinstated until he has been examined and approved by the commission physician and until he either fulfills all his pending commitments at the time of his suspension or is released therefrom by the promoting club or corporation.

208.12 Compensation of boxers. In any principal or main bout the licensed promoting corporations, without the advance approval of the commission, cannot pay the contestants in excess of 50 percent of the net proceeds of the boxing program after the State tax and compensation for the ring officials have been deducted. The minimum compensation to any boxer who competes in at least a four-round bout shall be $50, or in such other sum as the commission shall approve.

208.13 Approval of boxing match by commission. Before approving any boxing bout or match, the commission will inquire into the relative merits of the contestants, their past records, and whether or not they are suitable opponents, and the commission reserves the right to disapprove any match or bout on the ground that it is not in the best interest of boxing or of the health of either of the contestants.

208.14 Limitation of number of weekly boxing programs. Licensed promoting corporations will not be allowed to conduct more than one boxing program per week without the special permission of the commission, and no such program may be cancelled or adjourned without the consent of the commission.

208.15 Duty to provide private room for use of judges and referees. Licensed promoting corporations must provide, in each of the premises where boxing programs are conducted, a special private room for the exclusive use of the judges and referees. No other persons excepting the commission representatives shall be allowed to enter such room.

208.16 Effect of promoting corporation's default in debts or obligations. Any licensed promoting corporation in default of any of its debts or obligations will be suspended forthwith, and upon full payment of all such debts and obligations may be reinstated by the commission, but only upon posting with the commission a deposit in such amount and for such time as shall be determined by the commission.

208.17 Boxing or wrestling program in conjunction with charitable organization. No licensed promoting corporation will be permitted to conduct any boxing or wrestling program under the auspices of or in conjunction with any charitable organization unless such promoting corporation submits to the commission the agreement setting forth the terms and conditions of the said program and receives from the commission its approval.

208.18 License card. No corporation, referee, judge, matchmaker, timekeeper, corporation treasurer, box office employee, ticket taker, doorman, usher, professional boxer, professional wrestler, manager, trainer, second, announcer or special policeman licensed by the commission may participate, either directly or indirectly, in any boxing, sparring or wrestling match or exhibition, or the holding thereof, unless such corporation or person displays his license card and, upon request, relinquishes same to a representative of the commission immediately prior to each boxing or wrestling event.

208.19 Licensed matchmaker acting as manager or assignee of boxer. Licensed matchmakers are forbidden from acting as the manager or assignee of any boxer and from participating in any way, directly or indirectly, in the ring earnings or management of any boxer, except with the specific permission of the commission.

208.20 Licensed manager forbidden to act as matchmaker. Licensed managers and assignees are forbidden from acting in any direct or indirect way as a matchmaker of boxing bouts, except with the specific permission of the commission.

208.21 Promoting corporation as employer of boxers, wrestlers, managers or seconds. No licensed promoting corporation may have in its employ or be in any way commercially connected with any licensed boxer, licensed wrestler, licensed manager or licensed second except with the specific permission of the commission.

208.22 Director, officer, employee or stockholder of licensed club acting as manager, assignee or second of any boxer. No director, officer, employee or stockholder of any licensed club or promoting corporation may, either directly or indirectly, serve or act as the manager, assignee or second of any boxer, and, without the approval of the commission, may not be employed by or in any way be connected with any other such club or corporation.

208.23 Distribution of receipts of contest or exhibition. All licensed promoting corporations in distributing the receipts of any contest or exhibition must first deduct all sums due for Federal and State taxes and then deduct all sums due for payments to the referee and judges and for insurance premiums. Thereafter, the balance may be distributed in accordance with the amounts or percentages agreed upon for the compensation of the wrestlers or boxers.

PART 209

RULES TO SAFEGUARD HEALTH

Section 209.1 Contents of medical examination. (a) In order to obtain a license or the renewal of a license, all boxers and wrestlers must submit to a thorough medical examination by a physician approved by the medical advisory board. The examination shall include a complete history of the applicant and any or all of the following laboratory procedures at the discretion of such physician: chest X-ray, skull X-ray, flat abdominal X-ray, electrocardiogram, complete blood count for bleeding and coagulation time, urine analysis, serological examination for syphilis, neurological and psychiatric examination, ophthalmological examination and any other test or survey which might be indicated by the past record or present condition of the applicant.

(b) The medical examining room provided for the use of such physician shall have the following diagnostic equipment: X-ray, electrocardiographic machine, electroencephalographic machine, ophthalmoscopes, illuminated eye chart, Snellen chart, laboratory equipment for chemical tests, mercury manometers, sterilizing unit, examination tables and otoscopes.

(c) All boxers and wrestlers applying for an original license must be given an electroencephalographic examination, chest X-ray, electrocardiographic examination, serological tests and laboratory and other tests as may be required by such physician.

209.2 Physical examination of boxers in championship or main bout. All boxers in a championship or other main bout must be given a physical examination at least five days prior to the date of the contest. Such examination shall be performed in this State, by a physician approved by the medical advisory board, and shall include as many of the laboratory procedures outlined in section 209.1 of this Part as the examining physician may decide are necessary.

209.3 Physical examination of boxers in all bouts. Boxers in all bouts shall have the type of examination outlined in section 209.2 of this Part on the day of the bout, both at the noon weighing-in and in the evening a short while before the boxing program commences.

209.4 Specifications for bandages on boxer's hands. In all classes up to and including middleweights, the bandages on each hand of a boxer shall be restricted to soft guaze cloth not more than 10 yards in length and two inches in width, held in place by not more than four feet of surgeon's tape one inch in width. In all other classes (light heavyweights and heavyweights) the bandages must be 12 yards in length and not more than two inches in width, held in place by not more than eight feet of surgeon's tape one inch in width for each hand. The use of six inches of adhesive tape, not more than one inch in width, will be permitted across the back of each hand before bandaging the hands, provided same is not put across the knuckles. The bandages shall be evenly distributed across the hand. No tape or gauze may be placed *across* or below the knuckles. These bandages shall be adjusted in the dressing room in the presence of a commission representative. Under no conditions are gloves to be placed on the hands of the contestant until the approval of the commission is stamped on the bandages by its representative.

209.5 Duties of ringside physician. The ringside physician must terminate any boxing bout if in the opinion of such physician any contestant has received severe punishment or is in danger of serious physical injury. In the event of any serious physical injury, such physician shall immediately render any emergency treatment necessary, recommend further treatment or hospitalization if required, and fully report the entire matter to the commission within 24 hours and subsequently thereafter, if necessary. Such physician may also require that the injured boxer and his manager remain in the ring or on the premises or report to a hospital after the contest for such period of time as such physician deems advisable.

209.6 When ringside physician may enter ring. Anything to the contrary notwithstanding in these rules, the ringside physician may enter the ring during the progress of a bout or between rounds and terminate any boxing bout to prevent severe punishment or serious physical injury to a contestant.

209.7 Commission physicians. The number of commission physicians required to be in attendance at each bout, and the type and quantity of medical and emergency equipment and instruments which the licensed promoting corporations shall have available at ringside or elsewhere in the premises, shall be as the commission may prescribe from time to time by bulletin.

209.8 Examination of boxer after severe injury or actual knockout. Any boxer who has sustained any severe injury or actual knockout in a bout shall within 24 hours be thoroughly examined by a physician approved by the medical advisory board. Such examination shall include any or all of the procedures as provided in section 209.1 of this Part or as is specially directed by the board, the commission physician or the ringside physician. Upon the board's request, the commission may suspend the boxer until he is fully recovered and, similarly, may extend any such suspension already imposed.

209.9 Confidential nature of medical reports. All medical reports submitted to, and all medical records of, the medical advisory board or the commission relative to the physical examination or condition of boxers and wrestlers shall be considered confidential, and shall be open to examination only to the commission or its authorized representative, to the licensed boxer or wrestler upon his written application to examine said records, or upon the order of a court of competent jurisdiction in an appropriate case.

209.10 Mandatory medical examination of contestant losing six consecutive fights. Any contestant who has lost six consecutive fights must be automatically suspended and cannot be reinstated until he has submitted to a medical examination of the type specified in section 209.1 of this Part.

209.11 [Repealed]

209.12 [Repealed]

209.13 Submission of report of boxer's personal physician. In the event that a boxer who has suffered a knockout or any severe injury has on such account been treated by his personal physician or has been hospitalized, he or his manager must promptly submit to the medical advisory board a full report from such physician or hospital.

209.14 When special examination of boxer or wrestler is required. At the request of the commission, the medical advisory board shall appoint physicians to specially examine any licensed boxer or wrestler when a question arises as to the physical ability of such licensee to engage in a scheduled match, and the findings of such panel shall be a conclusive determination of such question. Any injury or illness before a scheduled match or while in training for such match must be fully reported to the commission within 24 hours by the licensee or his licensed manager and in the event the commission does not request the appointment of such a physician, the licensee must be examined in accordance with the procedures outlined in section 209.1 of this Part.

209.15 Medical examination forms. The medical advisory board will provide the forms listed below for the various types of examination:

(a) Form MAB 100 shall be used for annual medical examinations before licensing.

(b) Form MAB 101 shall be used for the five-day-before examination and noon weigh-in examination.

(c) Form MAB 102 shall be completed just prior to the boxer's entry into the ring for the examination conducted at the arena.

(d) Injury form MAB 103 shall be used for all injuries that occur.

(e) Form MAB 43 shall be used as a medical certificate for boxers with defects that have been passed upon by the medical advisory board.

(f) Form MAB 42 shall be used as a request to the Department of Health for chest X-ray, Wassermann or other examination.

209.16 Required seminars for ringside physicians and referees. All ringside physicians and referees of boxing matches and exhibitions shall attend such neurological training seminars as specified and approved by the medical advisory board.

PART 210
THE RING OFFICIALS

Section 210.1 The referee. (a) The referee shall inspect each boxer's gloves and make sure that no foreign detrimental substances have been applied to either the gloves or the bodies of the boxers.

(b) The boxing referee shall have the following exclusive powers:

(1) To stop a bout or contest at any stage on the grounds that it is too one-sided. In such event, he may award the bout to the superior contestant as a technical knockout.

(2) To stop a bout or contest at any stage if he considers one or both of the boxers are not competing in earnest. In such event he may disqualify one or both of the contestants,

and if only one contestant is disqualified, he may award the bout as a technical knockout to the other.

(3) To stop a bout or contest at any stage on account of a major foul being committed by either contestant and to award the decision, under such circumstances, to the fouled boxer.

(c) Referees are required to stop any bout in which a boxer has been knocked down three times in one round from the result of a blow as distinguished from a slip or a fall from being off balance.

210.2 The ring announcer. (a) No individual will be permitted to act as a ring announcer at any boxing bouts held under the supervision and authority of the commission without having first obtained a license to so act from the commission, and no licensed promoting corporation may employ any unlicensed person to act as such announcer.

(b) The announcer of the bout shall be the master of ceremonies and at the conclusion of each bout must collect the score cards from the judges and referees and submit them to the commission representative in attendance for inspection before making any announcement of the decision.

(c) Introductions from the ring of persons not connected with the sport of boxing is forbidden and the announcer must receive the advance approval from the commission representative in attendance as to each of the persons introduced from the ring. After such introductions are completed, the announcer shall announce the names of the contestants and their correct weights, and any other matters he is directed to announce by the commission.

210.3 The timekeeper. (a) The timekeeper must sit outside the ring platform and close to the gong.

(b) Each timekeeper must have either a whistle or a buzzer and a stopwatch, which shall be submitted for approval to the commission representative in attendance at the boxing program.

(c) In the event that a bout terminates by a knockout during any round, the timekeeper shall inform the announcer of the exact duration of such round.

(d) The timekeeper must not signal during the progress of a round except to indicate that only 10 seconds remain in the round. He shall also signal 10 seconds prior to the beginning of any round and at such signal all seconds must leave the interior of the ring and all stools and equipment must be removed from the ring platform. The timekeeper must strike the gong with a metal hammer to indicate the beginning and ending of each round.

210.4 Referees, judges and timekeepers. (a) At all boxing and wrestling programs, each ring official on duty directed by the commission to be in attendance thereat, shall be paid by the licensed promoting corporation in such sum and amounts as the commission shall order the licensed promoting corporation to pay, in accordance with the schedule furnished to the said promoting corporation and on file with the commission.

(b) Without the special permission of the commission, no licensed referee, judge or timekeeper may officiate in any way at any boxing or wrestling program which is not conducted under the authority or supervision of the commission.

(c) All judges and referees for bouts or exhibitions conducted by promoting corporations must be assigned by the commission, and the number of officials required to be in attendance, or the substitution of officials for any reason at any time during the bout or exhibition is, solely within the power and discretion of the commission.

(d) Annual medical examinations must be given to all licensed judges and referees by the commission physician and such examination must be of the same type and thoroughness as is outlined in section 209.1 of this Subchapter.

210.5 Licensing and training standards for judges. Prior to the issuance of a license of a boxing judge, an individual must pass a written and/or oral examination relating to the commission's rules and regulations as well as unofficially score, to the satisfaction of the commission, a minimum of 10 rounds of professional boxing. In addition, licensed judges of professional boxing must periodically, as mandated by the commission, attend seminars relating to the rules and regulations of the commission and skills as a judge of professional boxing. The performance of each boxing judge will be the subject of periodic review and evaluation by a designated commission official.

210.6 Licensing and training standards for referees. Prior to the issuance of a license of a boxing referee, an individual must pass a written and/or oral examination relating to the commission's rules and regulations as well as have refereed a minimum of 100 rounds of amateur and/or out-of-state professional boxing. Upon receiving a license of a professional boxing referee, each referee shall first be assigned a minimum of no less than four four-round preliminary bouts, followed by a minimum of no less than four six-round preliminary bouts. The referee's conduct and performance will be reviewed and evaluated by an official designated by the commission and if it is found that said referee's conduct and performance is satisfactory, that referee may thereafter officiate bouts of eight rounds or more. In addition, prior to the issuance of a license, each referee must attend a neurological seminar conducted by a physician designated by the commission. All referees must meet health and physical standards as may be established from time to time by the commission. In addition, licensed referees of professional boxing must periodically, as mandated by the commission, attend seminars relating to the rules and regulations of the commission and skills as a referee of professional boxing. The performance of each boxing referee will be the subject of periodic review and evaluation by a designated commission official.

PART 211
PUBLIC ACCESS TO RECORDS, EXAMINATION AND COPYING OF RECORDS

Section 211.1 Applicability. The provisions of this Part shall be applicable to all records for public inspection and copying except where same are inconsistent with statutory provisions or specific rules of this Title.

211.2 List of available records. A current list of the records available for inspection and copying shall be maintained in the general offices of the commission located at 270 Broadway, New York City, which list shall be available for public inspection and copying.

211.3 Location of records. All records of the commission available for inspection and copying shall be inspected and copied in the general offices of the commission located at 270 Broadway, New York City.

211.4 Hours of inspection. Records may be inspected and copied each business day the office is opened to the public after such office hours begin and terminating 15 minutes before the close of such hours.

211.5 To whom and where request made. The request for a particular record shall be made to the head of the division responsible for such record and at such place as he shall designate in the office of the commission in which the record is located.

211.6 Form of request and identification. Where original or official records are requested to be examined or copied, a written signed request, on forms provided by the commission, shall be presented by the applicant showing his name and address and whom he represents, together with appropriate proof of identity when requested.

211.7 Description of record required. A request for a record shall be specific and adequately describe and identify the record sought to be inspected or copied.

211.8 Number of records permitted. It shall be discretionary with the head of the division responsible for the record as to the number of records of any type or types an applicant may request and receive at any one time.

211.9 Use of pens prohibited. The use of pens shall be prohibited when inspecting or copying records. No marks of any kind shall be made on any record provided.

211.10 Area restriction. Inspection or copying of records shall be permitted only in the areas designated for such purpose.

211.11 Duplicate requests. If more than one request is received for the same record, the order of request shall determime which applicant shall first receive the record.

211.12 Limitation of examination time. The head of the division responsible for the record or his designee may fix reasonable limitations on the time an applicant may examine any record.

211.13 Temporary unavailability of records. Where a record is in use by the commission, or the filing or intake procedures relating thereto have not been concluded, the filling of a request for the record may be reasonably delayed until such use or procedures are completed.

211.14 Return for department business. Whenever a record made available for inspection or copying is required for the business of the commission, the division head or his designee may require the return of the record upon such demand.

211.15 Provision of copies. (a) A copy or certified copy of an available record shall be provided applicant upon payment of the fee prescribed therefor in section 96 of the Executive Law.

(b) The commission in its discretion, may permit an applicant to bring his own equipment on commission premises for the purpose of copying records. The terms and conditions upon which such permission is granted shall be accepted in writing by the applicant who shall pay in advance such fee for the use of space and energy as may be charged.

211.16 Denial of access. In the event a request for a record is denied on grounds other than that the commission does not maintain such a record or no such record is found, the applicant shall be provided with a form advising him of his right to appeal the denial of the application to the chairman of the commission.

PART 215

THE PREMISES, ITS FACILITIES AND EQUIPMENT

Section 215.1 Approval of premises for boxing required. Licensed promoting corporations may only arrange for and hold boxing bouts in premises approved by the commission.

215.2 Notice concerning gambling. In all such premises there shall be prominently displayed in at least four places and during the entire course of the bouts, as well as the period of one hour preceding the commencement of the bouts, the following notice:

NO GAMBLING ALLOWED

215.3 Posting of license in box office. The license issued to the promoting corporation shall be posted in the box office of the premises where the boxing bouts are taking place and shall at all times be enclosed in a suitable frame so as to be completely visible for inspection.

215.4 Providing seats for ring officials and commission representatives. The premises must provide suitable separate ringside seats for the judges, timekeeper, knockdown counter, physicians and commission representatives, which must be approved by the commission representative in attendance before the commencement of any boxing program. The licensing promoting corporation must also provide seats in each boxer's corner for the occupancy of the inspectors on duty at the program.

215.5 Advertising on round cards. Round cards exhibited in the ring between rounds must not bear advertising matter of any kind whatsoever, unless the advertising matter has been approved by the commission.

215.6 Provision for clean bucket and bottle in boxer's corner. For each bout there must be a clean bucket and a clean plastic bottle in each boxer's corner.

215.7 Emergency medical facilities and equipment. All licensed corporations promoting boxing or wrestling must provide medical information, facilities and equipment, including but not limited to a stretcher and emergency oxygen, adequate for emergency occasions, and all such medical facilities and equipment must be approved in advance by the commission. Specifications of the commission for the medical information and equipment, and for the platform, padding and the covering shall be prescribed by the commission from time to time by bulletin and forwarded by the commission to each licensed promoting corporation. The promoters at all boxing contests and exhibitions must, unless alternate arrangements are approved by the commission, have an ambulance with medical attendants available at the site of the event.

215.8 Inspection of ring by commission. No boxing or wrestling contest or exhibition shall be permitted in any ring unless such ring has been inspected and approved by the commission. All rings shall be between 18 and 22 feet square, and have a minimum of a two-foot apron; the plat form shall have a smooth, firm surface and be covered with clean canvas, duck or other resilient material. The ropes for boxing shall consist of four strands, and for wrestling either three or four strands. Each rope shall be at least one inch thick, covered with soft covering and shall be securely fastened to the ring post and remain taut throughout the contest. The corners shall have protective padding extending from the top rope to the bottom rope. All ring platforms must be padded, and for those boxing matches and exhibitions must be additionally padded with ensolite, or a similar material approved by the commission at least one inch in thickness.

215.9 [Repealed]

215.10 The gong. The gong must not be less than 10 inches in diameter, adjusted securely on a level with the ring platform.

215.11 Condition and size of gloves. The gloves shall be new for all main events and also for all bouts scheduled to be 10 or more rounds. All gloves are to be furnished by the licensed promoting corporation, and shall weigh not less than eight ounces. Unless otherwise approved by the commission, in all matches and exhibitions, except championship bouts, thumbless gloves approved by the commission must be used.

215.12 Types of shoes barred from ring. No shoes with spikes, cleats, hard soles or hard heels are permitted in the ring.

215.13 Miscellaneous equipment. Licensed promoting corporations must provide water buckets, powdered resin for the canvas, second's stools for each corner and such other articles as are required by the commission for the proper conduct of any boxing program.

215.14 Scales. All scales used for any weigh-in must be approved in advance by the commission.

215.15 Persons authorized to enter boxer's dressing room. No one shall be allowed in a boxer's dressing room except his manager, his seconds, the commission representatives, members of the press and such members of the promoting corporation as are permitted by the commission. This section must be posted by such corporation at the entrance of all dressing rooms.

PART 216
CONDUCT OF BOXING BOUTS

Section 216. 1 Number of officials required. At each boxing bout the officials shall consist of one referee, three judges, one timekeeper, one knockdown counter and one announcer. In addition, for all bouts there shall be two physicians in attendance.

216.2 Position of judges and physicians. The judges shall be stationed at opposite sides of the ring and the physicians shall be stationed at places designated by the commission representative in charge.

216.3 Number of seconds. Each contestant may have no more than three seconds and each such second while assisting in the boxer's corner may wear only such costume as may be prescribed by the commission from time to time. Only one of such seconds may be inside the ring ropes between rounds.

216.4 Conduct of seconds. No second may coach any of the boxers during the progress of any round; he must remain seated during each round. No second may enter the ring between rounds and assist a boxer back to his corner unless the bout has been terminated by the referee or ringside physician.

216.5 Excessive spraying of water on boxer. Any excessive or undue spraying or throwing of water on any boxer between rounds is forbidden.

216.6 Throwing towel into ring. All seconds are prohibited from throwing any towel into the ring as a token of defeat.

216.7 Application of Monsel's solution. The application of Monsel's solution or any of its derivatives on the body of a boxer between rounds is prohibited.

216.8 Approval of seconds by commission. Each boxer must submit to the commission for approval the name of his chief second and his assistant seconds and no other persons other than his approved seconds shall be permitted in the corner of the boxer.

216.9 Referee's instructions to contestants. Before the start of each bout the referee must call the contestants together for final instructions, at which time each contestant shall be accompanied by his chief second only, except in the case of a boxer who also requires the services of an interpreter. After receiving the referee's instructions, the boxers shall shake hands and return to their corners to await the gong for the first round.

216.10 Time for starting main bouts. All main bouts shall start no later than 10 p.m. unless otherwise ordered or approved by the commission.

216.11 Number of boxing rounds allowed in one program. There shall be no less than 30 and no more than 40 rounds of boxing on any one program unless otherwise approved by the commission. Emergency bouts must be provided by the licensed promoting corporation in case the arranged program cannot be fulfilled. Boxers in the emergency bout if not used must be paid a minimum stand-by fee of $25, and each such boxer must be engaged for a preliminary bout within a reasonable time thereafter by such licensed corporation.

216.12 Time when boxers must report to dressing rooms. All boxers participating at a boxing program must report to the designated dressing room of the premises no later than 1½ hours before the scheduled commencement of the first bout, except the contestants in the main bout, who may report at or before one hour before the scheduled commencement of the first bout. All boxers will remain in their dressing rooms until ordered to the ring by the commission representative in charge. Before entering the ring, boxers must have a clean appearance, and be shaven and their hair must be trimmed or tied back in such a way as to not interfere with the vision of either fighter or cover any part of the boxer's face.

216.13 Changes in announced or advertised boxing programs. A notice of any change in the announced or advertised programs for any main-bout contest must be filed with and approved by the commission at least 48 hours before the weighing-in time of the contest. Notices of such change or substitution must also be conspicuously posted at all box offices on the premises and announced from the ring before the opening bout, and if any of the patrons apply for refunds on tickets already purchased, the promoting corporation shall make such refunds upon demand, provided such tickets are presented at the box office on the day or night of the contest.

216.14 Persons disqualified from officiating. No official, director, matchmaker or stockholder of any promoting corporation or licensed club shall officiate in any capacity at any boxing bout conducted by such corporation, or interfere in any way with the contestants participating in such boxing program.

216.15 Referee's wearing apparel. The type, style and color of apparel of all referees shall be as the commission may from time to time prescribe and all such referees must conform their apparel accordingly while on duty at the boxing bouts. No jewelry or wristwatches shall be worn while refereeing a bout.

216.16 Weighing-in ceremonies. The times and places of all weigh-in ceremonies for indoor and outdoor shows shall be as determined by the commission and all contestants shall be weighed in on scales approved by the commission and in the presence of their opponents, the matchmaker and representatives of the commission. In the event of a postponement of the bout in excess of 24 hours for any reason whatsoever, a second weigh-in and additional physical examination may be required on the day to which the bout has been adjourned.

216.17 Boxer's ring costume. Each boxer on a program must provide himself with the ring costume selected and approved by the commission, and such costume must include a foul-proof guard of the boxer's own selection, type to be approved by the commission, which will obviate the necessity of any claims being made for a low blow during the contest.

216.18 Adjustment of boxer's gloves. In all bouts, the gloves of each boxer will be adjusted in the dressing room under the supervision of the commission representative in charge and the laces of each glove shall be knotted on the back of the wrists and there shall be placed on the wrists of the gloves, over the laces, a strip of one-inch adhesive tape. The gloves must be removed in the dressing room after the bout.

216.19 Announcement of decision. After the decision of any bout has been announced, both contestants and their seconds must leave the ring at once and retire to their dressing rooms, and a contestant is prohibited from indicating in any way to the officials or to the spectators his opinion as to whether he won or lost the bout.

216.20 Persons forbidden to coach contestant. The employees of any licensed promoting corporation and the matchmaker are forbidden from coaching any contestant at any time during the progress of any bout.

216.21 Duration of matches. In nonchampionship matches, boxers can only be matched for 4, 6, 8, 10 or 12 rounds, unless otherwise approved by the commission. All world championship matches must be of 15 rounds' duration. State championships may be conducted at either 12 or 15 rounds, at the discretion of the commission.

216.22 Intermission between rounds. There shall be a one-minute intermission between rounds, unless otherwise approved by the commission. The ringside physician may extend this intermission, if necessary to further examine a contestant, for up to 30 additional seconds.

216.23 Age of boxers as affecting duration of matches. Unless special permission otherwise is granted by the commission, boxers 18 years of age are permitted to box six rounds; boxers 19 years of age, eight rounds; boxers 20 years of age, 10 rounds; and for all bouts over 10 rounds, each boxer in such bout must be at least 21 years of age.

216.24 Outdoor boxing shows. The following special rules and regulations (sections 216.25 through 216.28 of this Part) pertain to outdoor boxing shows only, and all other rules and regulations of the commission not affected or modified below remain in force and effect for all such shows.

216.25 Postponement of boxing event. In the event of rain immediately before or during the course of any outdoor show, except during the course of the main bout, the promoting corporation may postpone the show to such time and at such place as is approved by the commission. An announcement giving the full details of the postponement shall forthwith be made by the promoting corporation, and any patron desiring a refund of the purchase price of his ticket may apply for the same at the box office of the promoting corporation on the premises, except when the main bout is held on the scheduled or one of the successive rainout dates indicated on the ticket. However, all contestants who have fulfilled their boxing contracts before the event of the rain shall be paid in full, and on the postponed date, substitute bouts in such number and of such duration as is approved by the commission must be provided by the promoting corporation.

216.26 Rearrangement or shortening of program. In the event of threatening weather and rain, the program of bouts may be rearranged or shortened by the promoting corporation with the consent of the commission representative in charge.

216.27 Reimbursement of expenses to contestants. All contestants in bouts other than the main bout who were unable to compete because of weather conditions or a rearrangement or shortening of the boxing program, shall have such of their expenses and other fees paid by the promoting corporation as the commission may direct.

216.28 Stopping of main bout because of rain. In the event that rain occurs after the main bout is completed, the boxing program shall be considered as having been completed. In the event of rain during the progress of the main bout, such bout shall be continued or stopped at the discretion of the commission representative in charge. If the main bout is stopped, the provisions of section 216.25 of this Part as to postponement and refunds shall apply.

216.29 Start of each round. In all boxing and sparring contests and exhibitions, both boxers must come to the center of the ring at the start of each round.

216.30 Items permitted in the boxer's corner. A bucket with ice, plastic water bottle, sponge, and surgical tape must be available in each boxer's corner. Without specific permission of the commission, the only other materials which a second may bring to or use at ringside are vaseline, adrenalin (in a manufacturer's vial, premeasured in a 1/1,000 solution) and anticoagulant (either Avitene, Thrombin, Thrombinplastin or Fibroplastin).

216.31 Licensing and training standards for seconds. Prior to the issuance of a license of a boxing second, an individual must pass a written and/or oral examination relating to the commission's rules and regulations, treatment of injuries, physical conditioning, health care, nutrition, training, first aid, effects of drugs and alcohol and the bandaging of a boxer's hand. In addition, licensed seconds of professional boxing must attend seminars relating to the rules and regulations of the commission and skills as a second of professional boxers.

PART 217
SCORING SYSTEM

Section 217.1 Points. All bouts shall be scored by three judges. Unless otherwise approved by the commission, the following scoring system shall be used by the judges in each boxing bout to determine which, if any, contestant has won a round. In each round, such officials must observe (a) clean hitting, (b) effective aggressiveness, (c) defense, and (d) ring generalship. At the conclusion of each round, each official must score each contestant's performance on these four items, and if the boxer is just slightly superior to his opponent in such round, one point must be scored for such boxer and the score of zero posted for his opponent. If a boxer is clearly superior to his opponent in any one round, two points should be scored for such boxer and the score of zero posted for his opponent. If a boxer is overwhelmingly the winner of a round and the round is therefore one-sided, three points should be scored for such boxer and the score of zero posted for his opponent. If in a one-sided round, a boxer also scores one or more knockdowns, four points should be posted for the boxer and the score of zero posted for his opponent.

217.2 Knockdowns. The officials may score a knockdown in any one round as either one or two points in favor of a boxer who scored such knockdown, and each official must determine for himself which value shall be placed on the knockdown.

217.3 The tally and decision. At the conclusion of the bout, each official must tally up the rounds and points he has awarded each contestant and submit his score card to the announcer. After such score cards have all been checked by the commission representative, they must be returned to the announcer, who shall announce the decision of the officials from the ring, and in main events the announcer shall call out the rounds and points awarded by each official. The boxer who has won the most number of rounds on the score card of the official is the winner on that official's score card, except when a boxer has not been credited with the greatest number of rounds, he may be declared the winner of the bout on an official's score card if, in the judgment of the official, such boxer has definitely proven his superiority over this opponent, has finished in better physical condition than his opponent, and has been awarded by each official a greater number of points than those awarded by such official to the opponent. If the official has not awarded the decision as thus set forth and if there is no winner by rounds, the decision must be awarded to the boxer with the greatest number of points. If no decision has been awarded and the rounds and points are both inclusive, the winning boxer is the one who, in the official's opinion, is in better physical condition at the end of the bout. The boxer who has been awarded the decision on two of the official's score cards is the winner of the fight.

217.4 [Repealed]

217.5 Score cards. Judges must mark their cards in ink or in indelible pencil, at the end of each round, with the symbols of W or L or E; a capital W in a boxer's column indicates the win of that round, a capital L, the loss of that round, and a capital E that the round was even.

217.6 Major fouls. The following are major fouls and upon the occurrence of any major foul in any round, the referee may disqualify the offending boxer and award the bout or any round thereof to the fouled boxer:

(a) hitting an opponent who is down or who is rising from down;
(b) using the knee against the opponent;
(c) purposely going down without being hit;
(d) failure to heed the referee's warnings concerning low blows or other minor fouls;
(e) any dangerous and unsportsmanlike conduct in the ring;
(f) butting, intentional or unintentional and/or low blows, intentional or unintentional.

217.7 Minor fouls. The following are minor fouls and it is within the discretion of the referee as to whether the offending boxer should merely be warned or should lose the round because of the commission of a minor foul:

(a) holding an opponent;
(b) deliberately maintaining a clinch;
(c) hitting with the inside or butt of the hand, the wrist or the elbow;
(d) backhand blows;
(e) low blows;
(f) hitting or "flicking" with the open gloves;
(g) wrestling or roughing at the ropes;
(h) deliberately striking at that part of the body over the kidneys;
(i) use of pivot blow or rabbit punch;
(j) hitting on the break.

217.8 Referee's notice to judges concerning foul. In the event that the referee has awarded the round to the fouled boxer, he must so notify the judges at the end of that round and in addition to the loss of the round because of such foul, the boxer who was fouled shall also be awarded one point in such round.

217.9 When referee must count boxer out. A referee must count a boxer out who falls to the floor claiming foul because of a low blow.

217.10 Report to commission because of fouls. If in any bout a boxer is penalized with the loss of three or more rounds because of fouls, the referee and each judge must report the matter in writing to the commission within 24 hours.

217.11 Technical knockout. A technical knockout is the ending of a bout by a referee for any reason other than a count-out or a disqualification. When a referee stops a contest to save any boxer from further punishment, he must award the other boxer the decision by technical knockout and must inform the announcer of the name of the boxer who was unable to continue, and direct the announcer to declare the other boxer the winner by technical knockout.

217.12 When boxer is down. A boxer is down if (a) any part of his body other than his feet is on the ring floor, or (b) he is hanging helplessly on the ring ropes, or (c) he is rising from a down position.

217.13 Counting. (a) When a contestant is "down" the timekeeper shall at once commence calling off the seconds, indicating the count with a motion of his arm. The referee must immediately order the other boxer to a neutral corner and shall thereafter pick up the count from the timekeeper and indicate it with a motion of his arm. If a contestant is unable to continue at the count of 10, the referee shall declare the other boxer the winner by a knockout. If a contestant who has been knocked or has fallen through the ropes and onto the ring platform fails to be on his feet in the ring before the expiration of 10 seconds, the referee shall count him out as if he were down. If a contestant who has been knocked or has fallen out of the ring and off the ring apron fails to be on his feet in the ring before the expiration of 20 seconds, the referee shall count him out as if he were down. A contestant who has fallen or has been knocked out of the ring must return to the ring unassisted.

(b) When a round in any boxing contest, except the last round shall terminate before a contestant who has been knocked down shall have risen from the floor of the ring, the timekeeper's count shall be continued and, if the fallen contestant shall fail to rise before the count of 10, he shall be considered to have lost the bout by a knockout in the round lately concluded.

(c) When a boxer is clearly knocked down, he shall be required to take a count of eight whether or not he has regained his feet before the count of eight has been reached. At the bell, if the fighter has arisen and the count is in progress, the count shall cease and the fighter shall return to his corner. Should a boxer slip, or fall down, or be pushed, he shall be ordered to his feet immediately. Failure to rise may subject him to disqualification.

217.14 When contest terminates. If the contest is terminated between rounds, the knockout must be recorded as having taken place in the round just terminated. However, if the bell for the subsequent round has already sounded, the contest ends in the subsequent round.

PART 218
BOXING CLASSES AND CHAMPIONSHIPS

Section 218.1 When a boxer must defend title. With the exception of champions in the armed forces, a boxer holding a championship title must defend his title against a suitable contender with a period of six months after winning or after last defending it, or his title may be vacated by the commission. In the event that a champion fails to so defend his title, any boxer in the same class who is considered by the commission to be a suitable contender, may, at the lapse of said six months, forward to the commission a challenge. Such challenge must be accompanied by deposits of the following amounts for the following classes:

$1,000—flyweight, bantamweight and featherweight;
$1,500—lightweight;
$2,000—welterweight and middleweight;
$2,500—light heavyweight;
$5,000—heavyweight;

and each such deposit must be by certified check or by a bank cashier's check drawn to the order of the commission.

218.2 Procedure when commission receives challenge. Upon receipt of such challenge, the commission shall forward it to the champion and announce the challenge at the office of the commission. Thereafter such champion must, within 20 days after such announcement, enter into articles of agreement to defend his championship title against the contender. In the event the champion does not enter into such articles of agreement as specified above or capriciously refuses promptly to defend his title against such contender, his license shall be suspended by the commission until he either defends his title against the challenger or against some other contender considered suitable by the commission, or until his title is otherwise vacated, unless he is prevented by circumstances beyond his control, in which case the time may be extended.

218.3 Champion's selection between challengers. In the event that more than one suitable contender's challenge is received by the commission and forwarded to the champion, the champion may select to defend his title against any one of such challengers.

218.4 When championship is forfeited. In the event that the champion is permanently unable to physically qualify for the defense of his title, the commission shall forfeit his championship and declare the title vacant. In each defense of his title, the champion must be at the weight required by the class for which he holds the title.

218.5 Contracts for championship bouts. All contracts for championship bouts must be signed at a commission meeting. On the date of the signing of the contracts, the two contestants and the licensed corporation promoting the bout will each post forfeits with the commission in the following amounts per class:

$1,000—flyweight, bantamweight and featherweight;
$1,500—lightweight;
$2,000—welterweight and middleweight;
$2,500—light heavyweight;
$5,000—heavyweight.

Such forfeits are to insure that each of the contestants will appear at the championship contest and to make the proper weight, and that the promoting corporation will fulfill its obligations. In the event that a forfeit is declared, the deposit or deposits so forfeited will be distributed equally between the nondefaulting depositors.

218.6 Individual may hold only one championship title at a time. No individual may hold a world's championship title in two or more classes at the same time, but the holder of one such championship title may enter a contest for the world's championship title of another class. In the event that such individual wins such world's championship title in such other class, his original world championship is automatically vacated.

218.7 Weight limits for contestants in championship bouts. The weight limit for each contestant in a championship bout must be as listed below, and championships are recognized in the following classes only:

112	flyweight
118	bantamweight
126	featherweight
135	lightweight
147	welterweight
160	middleweight
175	light heavyweight
over 175	heavyweight

In the heavyweight class there is no maximum weight limit for any contestant.

218.8 Weight limits in nonchampionship bouts other than four-round contests. In nonchampionship bouts, other than four-round contests, the following limitations of weights between contestants may be permitted:

flyweights (112 pounds)	5 pounds
bantamweights (118 pounds)	7 pounds
featherweights (126 pounds)	8 pounds
lightweights (135 pounds)	10 pounds
welterweights (147 pounds)	12 pounds
middleweights (160 pounds)	13 pounds
light heavyweights (175 pounds)	14 pounds
heavyweights, all over 175 pounds	no limitation

218.9 Weight limits in four-round bouts. In all four-round bouts, except in the light heavyweight and heavyweight classes, the difference between the weights of the contestants shall not exceed five pounds.

218.10 [Repealed]

218.11 Boxers overweight in non-title bout. In non-title bouts, boxers overweight under the terms of the contract may be suspended after the match for such period as the commission may from time to time decide.

218.12 Weight of holder of championship in contest of title. Whenever a recognized holder of a championship engages in a championship contest in this State he must be at the weight required by the class for which he holds the championship except where a champion of one class competes as a contender for the championship in another class.

218.13 How championship can be lost. A championship can be lost by default, forfeit or inability to pass the scale, but a championship can only be won by a contender in a contest.

218.14 When contestants in championship bout must "pass the scale." All contestants in a championship bout must pass the scale at noon of the contest or at an additional weigh-in two hours thereafter.

PART 225
SPECIAL RULES FOR WRESTLING

Section 225.1 Persons to whom rules apply. The following special rules and regulations apply particularly to all persons and parties licensed as wrestlers, wrestling managers, wrestling promoters and wrestling matchmakers.

225.2 Wrestling programs are not contests. All professional wrestling programs under the supervision and the authority of the commission are exhibitions only and not contests and all such wrestling can only be advertised or announced as exhibitions.

225.3 Commission rules apply exclusively. All wrestlers are required to wrestle under the rules of this commission and contracts between wrestlers for wrestling exhibitions must specify that only the wrestling rules of this commission shall apply to such exhibitions.

225.4 When exhibitions terminate. All such exhibitions shall be terminated by one fall or by two out of three falls, unless otherwise approved by the commission, and the wrestling contracts shall specify the number of falls for each exhibition.

225.5 Time limits for exhibitions. The time limit for each wrestling exhibition shall be set forth in the contract. All wrestling contracts must be submitted for the approval of the commission five days in advance of the schedule date of the exhibition. Under no circumstances shall any wrestling exhibition continue after 11 p.m. unless otherwise authorized by the commission.

225.6 Scoring of exhibitions. All wrestling exhibitions shall be scored as follows:

(a) In a one-fall match, the wrestler winning the fall within the time limit shall be declared the winner. If no fall occurs during the time limit prescribed, the referee and judges, by majority vote, shall render a decision on the exhibition — calling the exhibition a draw or awarding either wrestler the decision.

(b) In a two-out-of-three-fall match, the wrestler first to win the two falls within the time limit shall be declared the winner. If only one fall occurs within the time limit, the wrestler scoring such fall shall be declared the winner. In the event neither wrestler scores two falls within the time limit but each have scored one fall or neither wrestler has scored a fall, the referee and judges, by majority vote, shall render a decision.

225.7 Wrestling mats required for ring. The mat covering the ring in boxing shows must not be used when wrestling programs are staged. Separate mats conforming to the specifications of the commission are required.

225.8 Number of exhibitions. The number of wrestling exhibitions on each program and the duration of each exhibition shall, in each instance, be submitted to the commission for approval five days in advance of the date of the program.

225.9 Time for commencement of wrestling programs. All wrestling programs shall commence no later than 8:30 p.m. unless otherwise authorized by the commission.

225.10 How contracts for services must be signed. Contracts for a professional wrestler's services must be signed by the professional wrestler personally, or by his manager, if he has one. Where any party to such a contract is under age, such contract must be signed on the minor's behalf by his legal guardian.

225.11 Tactics forbidden to wrestlers. Wrestlers are prohibited from indulging in the following unfair or foul tactics: striking, scratching, gouging, butting or unnecessarily punitive strangleholds. Any unsportsmanlike or physically dangerous conduct or tactics by any wrestler during an exhibition entitles the referee to stop the exhibition and award the decision to the other wrestler.

225.12 Conduct of seconds. Seconds, managers and coaches may not touch a wrestler during an exhibition, neither shall they give any advice or coaching until a rest period is declared.

225.13 Intermission between falls. Wrestlers shall be allowed five minutes between falls if the exhibition provides for two out of three falls.

225.14 Definition of fall. A fall is scored against a wrestler, when for a count of three, both his shoulders touch the floor at the same time.

225.15 How referee awards falls. The referee shall immediately slap on the back or the shoulder the wrestler scoring a fall.

225.16 Procedure when wrestler refuses or is unable to continue. When a wrestler refuses or is physically unable to continue an exhibition at the referee's command, the exhibition shall be terminated and the decision awarded to his opponent.

225.17 Where wrestling must take place. All wrestling must take place within the ropes. Wrestlers deliberately throwing opponents out of the ring are guilty of a foul and the referee may therefore award the exhibition to the fouled wrestler.

225.18 Effect of wrestler leaving ring. No wrestler shall deliberately leave the enclosed ring during the course of an exhibition, and if the offense is repeated after once given warning by the referee, a penalty fall will be scored against him by the referee.

225.19 Wrestler's wearing apparel. Wrestlers must provide themselves with such type and color of trunks as the commission may require for each exhibition.

225.20 How exhibitions must be advertised. Any wrestling promoter who without prior approval from the commission, advertises or causes to be advertised any professional wrestling exhibitions as a wrestling match or a championship match shall forfeit his license.

225.21 Preservation of advertising copy. Wrestling promoters shall preserve copies of all advertising issued in connection with wrestling exhibitions for a period of six months after such exhibitions have been held.

225.22 Licensing of booking agencies for wrestlers. Any person or party operating a booking agency for wrestlers must be licensed by the commission as a matchmaker and if such agency is a corporation, an officer of such corporation must be so licensed.

225.23 Wrestling promoter may not be a manager. No person acting as a wrestling promoter is permitted to be a wrestling manager.

225.24 Wrestling manager may not be a promoter. No person licensed as a wrestling manager is permitted to act as a wrestling promoter without prior approval from the commission.

225.25 Wrestler's conduct toward third parties. No wrestler shall molest, hit or abuse any spectator, referee or judge, or engage in any unsportsmanlike conduct.

225.26 Distribution of proceeds of exhibition. No wrestling promoter shall make any payments out of the proceeds of professional wrestling exhibitions to any other promoter or maker or professional wrestlers unless such payments are made pursuant to the terms of a written contract filed with and approved by the commission.

225.27 Filing of contracts involving wrestling exhibitions. All contracts involving wrestling exhibitions to which any licensee of this commission is a party must contain all the terms of agreement between the parties and must be filed with the commission and submitted to the commission for its approval.

225.28 Limitation imposed on manager's fee. No wrestling manager is permitted to accept from a professional wrestler more than one third of the net proceeds from any wrestling exhibition.

225.29 Physical examination of wrestler. A physician designated by the commission shall examine all wrestlers engaging in professional exhibitions before entering the ring and no wrestler shall be permitted to wrestle who is suffering from any illness or disability which in any way interferes with or prevents such wrestler from giving a full, complete and satisfactory exhibition of his ability and skill, or endangers his health or the health of his opponent.

225.30 Concealment by wrestler of illness or disability. No wrestler shall conceal from a physician any known illness or disability.

225.31 Time of physical examination. All wrestlers must present themselves for such examination no later than 1½ hours prior to the commencement of the exhibition.

225.32 Approval of contract by commission. Whenever a wrestler enters into contract with a wrestling manager, he must appear with the manager at a regular meeting of the commission for the commission's approval of such contract.

225.33 Tag wrestling. Tag team wrestling is an exhibition between a team of two wrestlers against another team of two wrestlers with a 60-minute time limit for either one fall or best two-out-of-three falls, with two minutes' rest between team falls. Team falls occur only when either man from one team has lost a fall. Only one such event a month may be scheduled by any licensed promoting corporation without the special permission of the commission. The exhibition shall commence between one man from each opposing team while their respective partners remain on the apron of the ring outside the ropes and unable to enter the ring unless his partner is defeated or is able to touch the outside team member's hand to relieve him. The outside partner must have hold of a regulation three-foot double rope with a knot in one end and the other end looped over the ring post of his team's corner. At the time of a tag contact between partners, the man outside of the ropes must have both feet on the apron floor and can only reach over the top rope to make the contact. The referee must see to it that the wrestler in the ring, after tagging his partner, retires to the outside of the ring as his partner enters the ring. No more than two wrestlers are permitted to be in the ring at the same time during the exhibition. When a fall occurs, team partners may relieve each other. If a wrestler is unable to continue, his partner must carry on alone and time out must be taken after an injury to permit the injured contestant to be removed from the ring. If neither team has been able to win two falls at the expiration of the time limit, the team having one fall to its credit is to be declared the winner. If no falls are scored, a decision shall be rendered by the officials in charge. It shall be a foul for a contestant, while waiting his turn on the apron, to assist his partner or to interfere in any way with the opponent. It shall also be a foul for a contestant, while waiting his turn to release his hold on the rope in his corner for any reason whatsoever until officially replaced by his partner or the referee. After one warning of the above infractions, the referee shall disqualify the offender. In all other instances the rules governing wrestling exhibitions shall prevail.

225.34 Number of officials. At each wrestling exhibition. the officials shall consist of one referee, two judges, one timekeeper and one announcer. In addition, for all exhibitions, there shall be one physician in attendance.

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Mr. **Torres**. Many States are interested in formulating a national boxing commission and I myself, have recently met with the commissioners of Texas, Nevada, Florida, New Jersey, Washington, DC, and plan to meet with other commissioners in the future.

I support the concept of some of the ideas contained in this bill, but I do not believe it should be controlled by the Federal Government. Funding of this commission would have assured success if the participating States contributed a share.

Furthermore, such a public function should be controlled by people who have been designated to carry out the rules. Since many States have shown a willingness to accomplish the objectives of this bill, it would seem there is no need for the Federal Government to interfere by imposing a private corporation.

I am happy that the future of boxing and the safety of the sport is important to this committee, and I will be pleased to cooperate in any way that I can.

I again thank you for the opportunity to address this meeting.

Mr. **Murphy**. Thank you very much, Mr. Torres. We will hold our questions for you until Mr. Rogich has submitted his testimony.

STATEMENT OF SIG ROGICH, COMMISSIONER, NEVADA STATE ATHLETIC COMMISSION

Mr. **Rogich**. Thank you very much, Mr. Chairman. First I want to thank you for allowing me to be here today and I am honored to be with Jose Torres whom I consider to be one of the great commissioners in this country, certainly a fine former world champion, and a man that I know collectively will work with others to reform and help the sport of boxing.

My name is Sig Rogich, and I am presently serving as chairman of the Nevada State Athletic Commission. I have served in this capacity since my initial appointment by the former Governor of Nevada, Mike O'Callaghan in 1978, and was later reappointed by former Governor Robert List, and the present Governor, Richard Bryan. I have also served as first vice president of the World Boxing Council representing the North American Boxing Federation.

And so it is my pleasure to appear before you today to testify on H.R. 1689, which seeks to establish the American Boxing Corp.

Let me state immediately that I support and endorse the concept of this legislation, with some variation and with possible consideration given to sunset legislation that would allow the Federal agency to act only as a catalyst to formation of a collective statewide effort to help boxing. Because I feel that a universal set of codes and standards must be established to protect these young athletes and to promote the integrity of the sport.

In Nevada—considered to be the boxing capital of the world—we feel we have made great strides in upgrading the sport and providing safeguards for the health of our boxers. Additionally, the Nevada State Athletic Commission has gone to great lengths to provide for top quality referees, judges, doctors, and a medical advisory board of licensed physicians.

Without question, the primary concern of the proposed national boxing commission should be the health and safety of the young men who participate in boxing.

In Nevada, we have suffered through the tragic death of a young Korean fighter, Duk Koo Kim. And now it seems we hear only about crippling injuries and permanent brain damage of young boxers without any consideration to the positive aspects of the sport.

I believe that the proposed commission should provide for a uniform set of rules and regulations. In addtion, these rules could provide for age limitations—minimum and maximum—the type of equipment used, mandatory testing, and use of a boxing passport similar to that which is required in Nevada. In Nevada, fighters must be at least 18 years old and at the most, 36 years of age unless approved in specific instances by our commission.

A boxing license should never be issued to anyone who has suffered a serious head injury or anyone with a visual impairment.

In Nevada, a fighter knocked out must wait 45 days before fighting again. I believe that there should be a minimum waiting time between bouts established. Too often, a fighter not fully recovered from a previous fight is in the ring again running a risk of serious injury.

Of course, I am taking it for granted that any set of uniform rules will include provisions for prompt and quality physical treatment of injured fighters. In Nevada a physician at ringside is a prerequisite to any approved boxing event.

I also strongly advocate mandatory urinalysis and chemical testing for controlled substances. The boxing community joins with other major sports organizations in being concerned with growing drug abuse problems.

In Nevada we have mandatory drug testing in championship fights because we believe it is our responsibility to police the sport and keep it free from the influence of drugs. It is our hope to increase drug testing for all boxing events.

The proposed commission should also address the selection and accreditation of referees and judges. The Nevada State Athletic Commission requires its referees and judges to pass annual examinations and complete an internship. The only exception to this rule is for those referees or judges who have been licensed by other States or countries with qualifications. However, we still provide regular seminars for all of our officials.

Boxing promoters should be required to furnish proof of their integrity, financial stability and knowledge of their responsibility to the fighters and fans. In Nevada, I lobbied for and was successful in securing laws mandating that television networks provide our State with their notorized legal agreements with promoters.

Furthermore, I would like to see the commission involved in researching new ways to protect boxers and the sport. For example, what is the effectiveness of a thumbless glove, if any? Is a standing 8 count a positive safety factor? I believe it is and is now utilized in Nevada at the discretion of the referee.

Would a longer rest period between rounds have any significant effect on the sport? In Nevada we are going to experiment with a 90-second rest period in preliminary bouts.

Should the use of protective headgear be mandated? Some will argue that it is more dangerous and does not serve a real purpose.

I believe the time has come to seek the answers to these and many other questions about boxing. A U.S. boxing commission could be established to work with the existing State organizations.

In addition, I would strongly support the establishment of a set of rules and standards which would protect the sport from less than honest promoters or organizations.

The sport of boxing has flourished in Nevada, Mr. Chairman, in large part because we have sought to maintain the safety and integrity of all involved. The Nevada State Athletic Commission will help and support efforts to further that credibility.

Again, Mr. Chairman, thank you for your time, and I will be happy to discuss any questions you may have.

Mr. MURPHY. Thank you very much, both of you gentlemen.

What is the standing 8 count?

Mr. ROGICH. Well, it means that in the past, and in some States today, if in the course of a fight a boxer is stunned or hurt, a referee does not sometimes have the discretion to examine him. If he does the fight is stopped. In Nevada, they have that option.

Mr. MURPHY. Does the referee have the technical KO?

Mr. ROGICH. He can stop and administer a standing 8 count and at that time he can examine the boxer closely, look at his eyes and let the fight go on. In the past if you didn't have the standing 8 count, if he stopped the fight, the fight was over.

So pressure was on the referee to be absolutely certain, and I felt that with the crowd response not having that standing 8 count opportunity, he—the referee—would be reluctant to stop a fight, particulary if that fighter was way ahead on points.

Mr. MURPHY. Do you believe that, I think that what all you have been telling us is that you want there to be some standard type of regulation? Do you believe that if we have the type of panel that is set up in H.R. 1689, the type of national commission, that it alone could do it without further Federal laws or regulations. Have you had an opportunity to review the bill?

Mr. ROGICH. Yes, sir.

Mr. MURPHY. And do you believe that that commission would be strong enough over it to be able to impose the type of nationwide, apparently regulation that you are recommending?

Mr. ROGICH. Well, I think that the bill itself should act simply as a catalyst. I think it should be the starting point in mandating that States work together for uniformity of rules, to give some uniformity to the rules and regulations and safety standards for boxing.

I think if you should get into this particular activity, you will find there are more things you could or could not be doing.

I think it is one of those kinds of legislation. But I don't think thereafter the Federal Government should run boxing anymore than they run football or baseball or basketball.

The only regulations we have in other sports from the Federal Government relates to dollars and cents, antitrust exemptions for baseball, and for football. It has nothing to do with safety standards.

I think in this instance we have gone this far, we would utilize this commission to mandate that the States work together in some collective effort to clean up—if you will—and give some standards to the sport of boxing, then after that I think it should be absolved of it.

Mr. MURPHY. We would still, I think, have to have the national commission with enough strength to enforce that?

Mr. ROGICH. I think you can have that, I don't think there is any question about that. I don't think you should make it a lifetime commission.

Mr. MURPHY. Give it a sunset, as you mentioned?

Mr. ROGICH. Yes, probably 2 years, maybe 3 years. But I think the spirit of this commission is to help, and the intent of this bill is to help boxing, obviously. It is not to create another Federal commission.

I think you are a catalyst, and with the strength you have by mandating laws like this you can enforce it better than we can as individual States, and you can also mandate that we work collectively to put some uniformity into the sport of boxing.

Mr. MURPHY. Thank you.

Mr. WILLIAMS. Mr. Torres, as you and I spoke briefly before the hearing, we were both in hopes that this bill and the efforts in which you have been involved could be mutually compatible. In your testimony you urge that the public functions of boxing continue to be controlled by the people who are designated to carry out the rules currently.

It seems to me that is part of our problem. The Congress has waited 25 years for the people who carry out the rules, State by State, to conduct themselves in such a way that the sport is made safe for the participants and made less corrupt for those who would have bent toward corruption, and Congress is still waiting.

It seems to me that something has got to happen, and given the political makeup in America; that is 50 States, 50 different boxing commissions, or thereabouts, we are just going to wait forever until we get some type of central authority to set some minimum standards.

You also encourage that States be required to capitalize the corporation through initial contributions of money. We considered that, and we could be wrong, but we just thought that would slow down the beginning of the corporation while we waited for enough money to come in voluntarily from States who wished to join.

We can't offer any services to States until the corporation has been capitalized, and so it seemed to us we had to do it the other way around by capitalizing the corporation first and then going to the States with offers of both services and money.

In effect, States would be assisting in the economic strength of the ABC by designating to the corporation a portion of the gate from their fight. Perhaps there is a better way to do it, but we spent a lot of time thinking about it.

Mr. TORRES. First of all, I would like to clarify that this body, the Congress of the United States, has also tried in the past to regulate boxing the same as the States have tried. I think for the first time that I can remember, the first time that a Governor of a State has taken the initiative to try to formulate a national body with the collective force of every State that has a boxing commission.

As you well know, not every State of the Union has a boxing commission. I think only 39 or 40 do. And I have been talking to, as I explained in my draft here, I have met with Chairman Rogich of Nevada, the California commissioner, the Florida commissioner.

One of the things we have to understand is that we are reacting to an idea rather than to facts. I think that we are reacting to the resolution made by the AMA for the banning of boxing in the United States and that has created drama in terms of attention to boxing, and in New York State boxing was abolished from 1917 to 1920. In those 3 years we have recorded 38 deaths connected directly or indirectly to boxing. Since 1920 to 1985, we have had six deaths in the State of New York, of which only three have been directly attributed to boxing.

It is because in that situation the New York State Athletic Commission has taken the initiative to examine fighters thoroughly before the fight because autopsies of those people who have died, six people who have died in New York State, have shown that one of them died as a result of an accident that he had previous to the fight, and at that time the condition that provoked it could not be detected by the medical apparatus and it was only discovered after the autopsy that he had died, not as a result of the fight, but died as a result of the accident.

Another person died of an aneurysm, which is a condition of the brain. He happened to be in the ring when he suffered that rupture of the veins. So, we are reacting. I think boxing has not created as many deaths attributed directly to boxing and another thing that happens is that most people not familiarized with boxing believe the movies and fictional writing that there are streets of the United States filled with exboxers walking the street punch drunk. I have been 30 years in the business and I have never in my life met one single punch-drunk fighter.

I think that measures should be taken to prevent the possibility of fighters, young men, getting hurt, but still I think we are reacting to an idea rather than to facts, and even doctors in New York—and we have one of the best medical advisory boards in the world, with the top neurologist and pathologist and neurosurgeons, in the medical advisory board in New York State, and they say that the resolution by the AMA in Hawaii was lacking data and historical facts and there is plenty of controversy in this matter.

Still, coming back to your idea of the bill, like I said before, I agree with the concept of the bill, I think that those responsible for working with boxing—I don't think any State is doing that bad—the lack of communication, the lack of—a fighter gets knocked out in Iowa, we find out 3 weeks later. In those 3 weeks that same fighter could be knocked out two or three times and we don't know his record. He could lie. With having a central computer system, every State would know immediately that the guy was knocked out and he is not allowed to fight for 45 days in any State.

Another trouble that we have is that many of our rules and regulations are superimposed by international organizations like the World Boxing Council, the World Boxing Association and the International Boxing Federation.

They have their own rules and regulations. Many times we have to adjust to their rules. In the State of New York we have rules and regulations and laws, so a law cannot be broken by any international organization.

So, we have more control over that. But I think that an organization created by this country and in the way that would work, including your bill, I am not dismissing your bill, I think it could be, we can combine the efforts with different States. I think that we can have our own rules and regulations and we can apply to our own fighters, and I think in this country we can concentrate more on the safety of boxing than any other country.

Mr. WILLIAMS. The need for a centralized recordkeeping system is essential, not only so that we will have a historic account of the fighters that came before us, but also to protect the safety of the current active boxers. Everyone agrees with that.

But I am willing to bet you dollars to donuts that we go another 50 years in this country without getting one. The WBA would like to have one, WBC would like to have one. Ring magazine would like to have one. None of them has one.

The best records in this country are kept by individual fans. And we need a centralized system to at least begin that process. We have waited 200 years in this country for someone to stop fighters from fighting today in Des Moines, tomorrow in Dubuque, and the next day in Chicago, and being knocked out each time, because we have no centralized system.

For that reason alone it seems to me the Federal Government has to step in and if we don't do anything else we ought to loan our computers to the boxing world so we can stop what is really an abominable practice of fighters who jump into the ring with the same alacrity of some down and outer who gives his blood every day without the host knowing he gave it the day before down the street.

I appreciate your understanding of that. I know that you recognize that you are one of the great fighters of all time in my book and many others. Yours is one record we know about.

Mr. TORRES. Thank you. [Pointing to Commissioner Rogich] He beat me up the other day.

Mr. WILLIAMS. I once told Tony Zale I thought his fights with Graziano were the fights by which all other fighters are measured and Tony's wife said if you think my Tony's fights with Graziano were tough, you should have been in our kitchen last Wednesday.

Commissioner Rogich, let me move on to you. I have no preconceived opposition to sunsetting this legislation; but my question is unless the standards which were created by the ABC were then made statutory, how could we be sure they were maintained once the corporation dissolved? That would be No. 1.

And No. 2, it seems to me that boxing is a fluid sport, particularly because of its reliance on, or what should be its reliance on, new health and medical information. And because of that, it seems to me that you need some type of a centralized mechanism which can apply new and better health and safety standards and new equipment to the sport of boxing.

If this ABC were to sunset itself, how could we be assured that those two problems which I have mentioned would be resolved?

Mr. ROGICH. Well, let me back up a little bit. I think Mr. Torres touched on one matter here, the proposal in Hawaii to ban boxing probably did some good in a funny kind of a way. It acted as a "mover and a shaker" in the boxing community. It started a few years go in a resolution that was passed most recently, but I note medical boards in various States don't share that opinion of that advisory board or that executive board of the AMA. But what it did do, it forced boxing commissions to take their responsibilities more seriously. I think more so than in the past, and so from that standpoint, a ridiculous amendment to abolish boxing probably helped us as States to work collectively together more than ever in the past.

I know that we have rules and regulations and changes in the sport of boxing that are more defined and better today than they have ever been as a result of this kind of attack. I will say I believe as a practical matter I don't think it is the tone and tenor and feeling of this Congress necessarily to create new Federal agencies. It has been a different position in the last few years. I support that position in the broad sense, philosophically, but I do believe that the Federal Government can use its influence and its power to create and formulate a strong organization and maybe part of the language with the creation of that bill says "Yes, we will eliminate ourselves in 2 years or 3 years, and if there is any deviation from the standards, we will then come back with a stronger group than we have advocated previously."

I think the States themselves are their own best watchdogs. The reason why the sport of boxing is under scrutiny today, is that it is more and more popular with the television networks looking for viable sporting events. It used to be a rare thing if you saw boxing as often on television as you do today. A title fight was something you listened to on the radio primarily and outside of the Friday night fights that was all of the boxing you had. Now you have all the television networks, plus the cable. You find more and more people watching, we're finding more and more activity relevant to it; and as a result, the boxing community is policing itself more and more.

The records are pretty good, quite frankly. We do have a "passport" system that has been initiated that disallows a boxer from boxing in any State that is active as a prime boxing passport member. I mean California, Texas, New Jersey, New York, Nevada, and I may be missing one, I think Ohio has one, too. The passport must be signed by a physician and it must be updated. If we have any questions about a fight on the undercards where you see, for example, that a fighter has been shifted around, abusing the system then we have the doctor's name, we have his stamp, the purse, the fight, the date, and all of those facts are available.

I would gladly take you up on your offer for a computer system. That might solve the problem. It would be a lot cheaper as well. I do think that the committee here today has an opportunity to put some teeth in some regulations. I do believe the States themselves, if you believe in the integrity of the States themselves, police themselves once this is in line. I think it would be very difficult for them with the help of television networks, and the media, and support this gets, to absolve themselves of their responsibilities after this commission sunsetted itself after 2 or 3 years.

Mr. **Williams**. I think you had mentioned to Congressman Reid when he was here that you may be able to speak to evidence that indicates it is worthwhile to wait a certain number of days between fights or between knockouts?

Mr. **Rogich**. Well, specifically, it is very tough to determine how much time you should wait, Mr. Williams. Candidly, I have talked to doctors about it. They tell me such things as cat scans can determine swelling of the brain. It goes down after being in a fight. His reaction time—a lot of factors come into play—and that for the sake of safety, it is better to wait. I can't give you a specific definition. I know that we adhere to a rule that disallows the man an opportunity to box immediately after another match. I think that is something a medical committee would look at and have specific tests that might determine those kinds of things.

Mr. **Williams**. Finally, Mr. Chairman, I was pleased, Commissioner, to see that your testimony listed a number of potential changes, perhaps workable, perhaps not, but at least you listed a number of safety factors which should be considered in the ring. It seems to me that too speaks to the need for some overseeing body to try a few different safety factors in fights in different States.

You specifically mentioned the possibility of a thumbless glove. There are plenty of pros and cons about that, but it seems to me that if we had one organization that could say let's try it in 30 fights in New Jersey and 30 fights in New York and 30 in Nevada, we would get a pretty good sample of whether or not we are having these kinds of eye injuries that we now seem to be having because of the thumbs.

The standing eight count is practiced now in some States, including your own. You mentioned the 90-second rest period between rounds, and protective headgear. I have some fighter friends who claim that they never got beat up worse than when they had on their protective headgear. That is when they got real headaches. But by the same token, is the protective headgear that we now see the only type that modern science can design or can it design a band of some sort that if nothing else would at least protect us from butting?

Mr. **Torres**. I would like to add that when I was a fighter, both amateur and professional, I never wore headgear, not because I thought headgear itself from the practical point of view was going to do harm, but I thought it was from a psychological point of view, I felt the headgear would not give me any rear protection, it would give me a false sense of protection. I felt by having headgear on that I was being protected, that I would not mind getting hit. So, by not wearing the headgear, I would not try to be hit. That was the main reason why I never wore it.

Mr. **Rogich**. Other States have many, if not all, of those kinds of rules we have outlined in Nevada. I know New York has great safety standards and I know that Texas does as well, and I know that California is one of those States, and New Jersey, Florida, and I believe Ohio. Those States really have any kind of ongoing boxing activity. So, it is false for me to pretend we are the only State that has those kinds of things.

I think we probably pay more attention to them because we have more fights. It is a major industry in our State. We are probably more adept at looking at boxing on a regular daily, weekly, and monthly basis, because you see more activity in Nevada.

Mr. WILLIAMS. What is needed is some type of an organization. I know, Mr. Torres, that you have been pursuing an association of State commissions. That type of organization, or what we suggest here, would then give a central body the results of those safety experiments, if you will, in these various States that you mentioned, Commissioner, and in turn a centralized group could share that information with other States, promoters, managers, and fighters. That now, it seems to me, is not being done in any kind of well organized fashion, and it certainly should be. There is no real reason why we aren't doing that except the nature of boxing itself.

Mr. TORRES. Mr. Williams, if I may, I would like to add that the thumbless glove, which has been implemented in New York State by law, was under experimentation for 3 years before it was made into a law in the State of New York, and we have had stories as to the result of eye injuries in the State of New York. It has been positive change.

Mr. WILLIAMS. It has been positive with regard to eye injuries?

Mr. TORRES. With regard to eye injuries.

Mr. WILLIAMS. How about hand damage?

Mr. TORRES. That is the trouble. So, what we are trying to do is now further study the possibility of also adding into law a clause which would state that thumblock glove also will have the same purpose of the thumbless glove.

Mr. WILLIAMS. Tell me what——

Mr. TORRES. Thumblock is a type of—you have the thumb but it will be tied on top that would prevent the thumb from going into the eye. We have those gloves.

Mr. WILLIAMS. Let me ask Mr. Torres one other question.

I remember your fights, you were pretty good in the corners. There have been some suggestions that we ought to go to an oval ring rather than a ring with corners inasmuch as a lot of damage comes from having a fighter trapped in the corners. I am not much in support of that myself, but as somebody who spent a lot of time in corners, what would you——

Mr. TORRES. I provided most of my damage in the corners.

Mr. WILLIAMS. That is what I mean.

Mr. TORRES. I don't think that is—again, I have to bring out the fact not many fighters are really hurt in the ring, and if you have the proper officials and you have the proper medical attention and doctors. In New York State also, by law, a doctor has the right to stop a fight besides the referee. A doctor has the right to stop the fight. So I think if you have competent officials, injuries could be diminished to even nothing in the ring. If you have proper medical examination before the fights and you have proper and competent officials in the ring, I think it is very hard for a fighter to get hurt.

Mr. ROGICH. In the accidents that have occurred in the course of a boxing match, you will find that they haven't occurred in the corners. They occur when a fighter hits his head on the ropes when he is going down, or hits on the canvas after he lands and the body acts with such force it snaps the neck back. Of those injuries that have occurred, primarily that is where they do occur.

I think there has been talk about utilizing four ropes instead of three, and there is a whole science in tying ropes down so the tension is proper. So that is another subject matter, too.

Mr. WILLIAMS. From looking at the fights, that tragic moment when Duk Koo Kim went down after being hit by Mancini, in the frame of the film, Kim's head goes out of the film. It is very difficult to see what happened, but as the camera lens catches up with him, what you see, apparently see, is Kim's head springing off of the bottom rope strand and then hitting——

Mr. ROGICH. That is correct.

Mr. WILLIAMS. The canvas. If that is so, it may well have been the bottom rope, which was put there for safety purposes, which helped result in Kim's death.

Mr. ROGICH. There is a lot to be said for that theory. I think you are perceptive in picking that up, because we certainly did. It is a factor.

Mr. TORRES. Two things I would like to add is that most boxers get hit mostly in the gymnasium, not in the fights. In gyms, because of lack of pressure and fighters get hit more in gyms, and they box there everyday. In the fight they box 10 rounds and that is it. In the gym, you box 6, 7, or 10 rounds every single day. That is where you get hurt. That is why a national body, as you are suggesting, should also take into consideration the jurisdiction of gymnasiums. We can control gymnasiums. And if any fighter gets knocked out, he would not be allowed to spar in the gym.

And touching on the Duk Koo Kim fight, there is another myth that was exposed in that fight; that is, that many people are concerned about mismatches. Those fighters who have died while engaging in boxing matches, they have not been fighters who have been involved in mismatches. Always a competitive match where fighters have died, in terms of history—and I didn't say killed, I said died—we don't know if they died as a result of the punches.

Mr. WILLIAMS. Thank you.

Mr. MURPHY. Mr. Bartlett of Texas.

Mr. BARTLETT. Thank you, Mr. Chairman.

It seems to me that the controversy or the decision is not so much over whether to adopt standards—both of your States and my State have done so. There is some substantial difference on this panel, difference of opinion, as to what those standards should be—an oval ring, eight count, thumbless glove, four ropes, three ropes. It seems to me the controversy with this legislation is to whether to adopt national standards that are nationally promulgated.

I would suspect, or tell me, if there were additional safety standards that you believe should be adopted in our States, would you adopt them? Are there safety standards you think you ought to adopt in Nevada that you haven't?

Mr. ROGICH. At this point, I don't know of any that we haven't adopted. I think if anyone showed us anything that would help the sport from a safety standpoint, we would certainly look at it and probably adopt it. We have no problem with that.

I think that the commissions together should utilize the strength that they have from a monetary standpoint, by putting some uniformity into the sport of boxing. That is probably what this group today could help us achieve. Without the American people and

American television networks, there really would be no sport of boxing per se as we know it in the world today. So it is a little disgusting when you find a WBC champion, WBA, IBF, continental Americas champion, ESPN world championship, or NBC fight-off, if you will. We should have one champion in each division, and the American people would get a little more bang for the buck because they would know who was who.

Too often now, you have a USA championship that comes about, then you have the State championships that come about, and each of the States has their own elimination bouts and pretty soon you have 10 champions in each division, and the rating system then is not consistent. One man is rated No. 2 by one organization, and not even rated in the top 10 by the other.

In WBC the ratings are done from the floor. I didn't know until becoming active in it—and I was a big critic of it—that all the ratings come before an open panel of probably 400 or 500 people. The rating committee chairman, Mr. Bob Bussey, of Texas is head of that group. He rated each of the division people from 1 to 20 in the ratings and all of those are then argued on the floor in front of the full body. So I think it is clean from that standpoint.

But I think people are a little tired of finding out there is a new world champion overnight when they saw the previous one win the title the night before.

Mr. BARTLETT. Let me see if I understand. In our view then is that the major significant improvement or——

Mr. ROGICH. I think it is one of the major improvements.

Mr. BARTLETT. So the impetus for this bill in your mind is more the rating system than national safety standards?

Mr. ROGICH. No, not necessarily; I think that is one of the primary factors. You know, as boxing continues to grow, you will find more States becoming active in the sport. There are only five or six States that really participate in boxing to the degree that you know it today. I think it is going to continue to grow. It is a popular sport, and you see an influx of new fighters. After the Olympics we have the national tide running high to see how the people are going to do in the professional ranks. So the sport continued to grow from that standpoint.

Mr. TORRES. You spoke about uniformity. I think that is very important. Uniformity and a computer system are the two major situations that we should address because that has direct connections with the safety of the fighter, having the same rules and regulations applied nationally, and knowing in advance of the fight and knowing the medical history of each fighter is very important for the safety of the fighter. We should address that. That is one main function of this suggested here today.

Mr. BARTLETT. So if there are national standards that continue the thumbless glove in the old style, and New York wanted to have a thumbless glove in the new style, which you described, which is with the thumb, you would think that since it was uniform it would be better than allowing you to have the glove that you——

Mr. TORRES. I believe I have my misgivings about the thumbless glove myself, as a former fighter, and I tried the glove. I have been getting many complaints from fighters and as a matter of fact, there are champions who would not fight in New York. The law in

New York says that anyone fighting 10 rounds or less must use the thumbless glove and no champion wants to use the thumbless glove. That is why many fighters, many champions, don't want to fight in New York because of the hand, because they said it is uncomfortable to the hand. Even though, as I said before, we have information that there has been much less eye injuries because of the thumbless glove. So we have to compromise.

Mr. BARTLETT. I wonder if you could tell us the status of the National Organization of State Commissions? I heard my colleague from Montana refer to perhaps the two of you attempting to organize a national organization of State commissioners.

Mr. TORRES. Yes sir, Gov. Mario Cuomo from New York sent a letter to all the States which have boxing commissioners, and they are responding very favorably as to the formulation of a national organization of boxing commissioners, including Puerto Rico and the Virgin Islands, and I have discussed superficially with Rogich and the other commissioners and I think they see the possibility of formulating such an organization, and as I said before in my statement, that such an organization would be formulated by the people who have a permanent interest in boxing in each of the States.

I think that a list from a philosophical point of view, would have a better interest, better desire for the benefit of boxing.

Mr. BARTLETT. Would that be a preferable organization to a Federal commission?

Mr. TORRES. To me, yes.

Mr. BARTLETT. Organized by the Federal Government?

Mr. TORRES. Yes; I believe—see, that formulating, imposing a private organization, I don't think that that organization would be more beneficial to boxing and it would be people who are personally interested in their own State, and in boxing, and boxing in the past has been tarnished by unscrupulous people, but I think that the boxing commissions around the country have been doing a great job, but we have the trouble of uniformity by not having the same rules and regulations, by not having the actual communication of fight results, and medical history of fighters. That is the trouble we are facing. That will lend to the possibility of——

Mr. BARTLETT. You think a privately formed organization of State commissions would be preferable to a nationally mandated commission?

Mr. TORRES. I think that.

Mr. BARTLETT. Federally mandated?

Mr. TORRES. I think that an association of different boxing commissioners, chairmen of the different States—maybe we can have a combined effort made by that corporation and the association of boxing commissioners. I prefer of course, the boxing commissioners because I think we boxing commissioners, have a direct desire to work with boxing. I don't know if that desire would apply to independent people that have nothing to do with boxing.

Mr. BARTLETT. Do you believe a commission or national organization is eminent or can be successful?

Mr. TORRES. If you ask me, I think, I began to initiate in New York letters from all the States that responded to the letter sent by Cuomo and myself, and have spoken about this situation with

Chairman Rogich and other commissioners, and they are very impressed and would like to formulate that commission.

Mr. **Bartlett**. Are you optimistic about such a commission? Do you think it would be preferable to this bill?

Mr. **Rogich**. Well, it is difficult for me to answer that totally. I don't normally favor any types of new Federal organizations philosophically. I don't think that they necessarily should work in an area they are not proficient in. But I do believe that if you start an organization like this, use it again as I say, as a catalyst to give some teeth to the formation of an organization internally in this country of all States—relative to boxing, so we get together, then I think it has some merit.

We have in existence the North American Boxing Federation. I think it is a good organization, I think that perhaps it should mandate as part of its national convention, which is upcoming, that we adopt and accept the rules that Governor Cuomo set forth and that Mr. Torres set forth.

I think that we could probably take an organization that is in place now and utilize a lot of what's been said and formulate and mandate that we meet every 6 months as chairmen of the respective commissions, and then maybe we could bring back our recommendations to you and from there you could add more to what you are doing here today. Or maybe you could do it the other way around. Maybe you could tell us the parts of the rules and regulations that you accept and expect from us.

Mr. **Bartlett**. Let me comment that Federal agencies tend to take on the nearest thing to perpetual life that we can find, and so while perhaps it is possible to sunset one, this proposal appears to encourage the State associations to form voluntary associations and to in essence adopt its own communication system and its own model standards, uniform standards if that is desirable?

Mr. **Rogich**. Well, I can say this, in answer to that, and with respect to Mr. Williams and what he said earlier, there is a problem in the fact that for 50 years we haven't done much in the sport. We have done a great deal in the national sport in the last 7 years because the sport finally is being scrutinized more than it ever was before, simply because it is more popular today and is seen by more people today because of television.

I don't have the answer to whether this organization that we are talking about forming today would work in the true sense. I share your concern about a perpetual lifetime Federal group. I don't think that is the answer anymore than I think you should have a Federal group that controls baseball or a Federal group that controls football. There are more injuries in both of those sports than there are in boxing.

But I do think if you can use this organization, use the teeth of the Federal Government to better the sport and give us some assurances that you are not going to try to dominate and rule the sport, with people who are not active in the sport, I think it has merit. That is the only way I think it has merit.

Mr. **Torres**. I would like to add that there are international organizations like the WBC—World Boxing Council and IBF, and the North American Boxing Association, and what bothers me from those organizations is that we have many of our commissioners in the States, that they can be commissioners and can belong to those organizations, I am sure that they belong to that for the improvement of boxing in the States, and because they have control of boxing worldwide.

But it bothers me that, for example, when the WBC has a fight in any State in the United States, the people who pay for the officials, meaning the judges and referees, are the promoters of the fight, and the promoters have a personal interest in the situation, promoters are paying the State officials to make a judgment in fights that they are putting up the money for. I think that that could influence indirectly the judgment of the officials, but the only way that that can be worked is that way.

In other words, we by law in New York State cannot belong to an organization because of what we consider to be an appearance of impropriety or conflict of interest and so that is why I am afraid of private organizations taking over boxing, because usually they don't have enough money to pay the officials and they force or impose upon the promoters to pay the officials in the business.

Mr. **Bartlett**. One last question. Could the two of you tell us what the budgets are for your States and do you have any sense as to what the Federal budget, how you raise the Federal budget? I read the bill would authorize a corporation to collect registration fees levied on boxers and matches. So that would be an additional fee to your State. What are your total budgets and how do you collect it?

Mr. **Torres**. My budget in New York is, we belong to the Department of State and our budget is $750,000. We have three commissioners, two of which are per diem. The only one full time is the chairman—in this case myself—and we have athletic assistants. They are full time. Then we have deputy commissioners, about seven that also work part time.

Mr. **Bartlett**. Is your money appropriated by the legislature?

Mr. **Torres**. Yes sir.

Mr . **Bartlett**. You don't collect any fees on matches?

Mr. **Torres**. No.

Mr. **Rogich**. We have a five member commission, all of which are appointed, none of which are paid, except for travel and per diem when they are out of State. We also have chief inspectors who are paid minimally. Then we have part-time people who work in that capacity as well. Our budget totals approximately $150,000 a year. The State has laws that provide it with a certain amount of revenue from gate receipts or from television, based upon a formula that was enacted by the legislature.

When we need additional funds, we go to the interim finance committee when the legislative session is not meeting.

Mr. **Bartlett**.Your budget is $150,000?

Mr. **Rogich**. Yes, sir.

Mr. **Bartlett**. That is approximately the amount?

Mr. **Rogich**. Yes.

Mr. **Bartlett**. And that is from gate receipts essentially, just from the general fund?

Mr. **Rogich**. It comes from the general fund but the general funds receives its money from gate receipts and television revenue, a percentage of the television revenue.

Mr. **Williams**. With regard to your question as to whether any of the current organizations, or any associations that might be set up in the next year or few years, could act to establish minimum health and safety standards for boxing, provide rating and sanction systems for boxing and hold championships, the answer is no, and we have the entire history of boxing to prove that the answer is no. None of them can do it.

They would all like to do it, and every few months another one comes along to attempt to do it. Mr. Torres and other well meaning people, who are experts at boxing have the good health and safety of boxers absolutely committed in their hearts, have tried to do it in the past. They failed.

The commissioner from Nevada is correct. The past 5 years or so have seen an improvement, but the past 5 years or so have also seen something that will prevent any organization from being able to establish the type of authority that is needed in boxing, and that is money. There is too much money at stake. The WBC will not allow the WBA to become an authority, and will not allow Mr. Torres to become an authority. There is too much money at stake. There is one group in this land that could provide the services necessary to save this sport—the Federal Government, period.

I thank the gentleman for yielding.

Mr. **Murphy**. I just want to add my comments to that.

First, I don't think any of you want to create any new Federal agencies, bureaus, or departments. However, if a Federal commission, whether it be public or private, were created, obviously it would be staffed, the members would be people from the boxing community. It wouldn't be someone from the dance community or professional community or somewhere else, obviously it would be the same as you have in your States, it would be people who are interested, concerned, learned, and have been in the sport.

Next, I tend to agree with Congressman Williams that if you want to accomplish the ends that you want, I would ask for you to think of how else can it be done. If you think it can be done voluntarily, then prove it to us and we will be very happy to step aside and let you run the boxing show as you would suggest.

But when you come here and you give us your very learned testimony, that things need to be done, things have not been accomplished—we have 100 years of recorded boxing in this country, and we still have a need for a national system. If we are to preserve the sport, and I think the three of us here, and Harry Reid, are concerned with preserving the sport. And if we do not, you and we together do something, we could very well lose it.

So I think that if you have any further thoughts on what we should do or how we should do them, I would be very happy to hear from you and we will now proceed to the next witness.

Mr. **Rogich**. Thank you.

STATEMENT OF PAPPY GAULT, FORMER BOXER

Mr. **Gault**. I am Pappy Gault. I am from Washington, DC. I am president of the LBC, DCABL; also member of 1968 Olympic games. I was the head coach in boxing. I am also a member of the national committee.

I came here with a tape for Congressman Williams to see. He is on it. He doesn't know it.

And I came here to back H.R. 1689. I back the concept of the bill, but I have been very upset today sitting listening to all this testimony, listening to things I cannot see happening in boxing. I feel certainly that the bill is good as it is intended; it is very good. We do need someone to look these things over.

We have 40,000 registered athletes in amateur boxing. We have no one, to my knowledge, yet who has spoken in behalf of the amateurs, but you have taken all our rules and regulations—the pros are using them, standing 8 counts, doctors, and everything. We have the backbone of this boxing world. Without us, there is no professional boxing. You know it and I know it.

So I think there is a very high insult that we as amateurs have not been called, to my knowledge, Congressman, to come in and meet your committee.

We will back you because we are for safety. And everyone comes in, and talks about Rocky Marciano and Tony Zales, 90 years ago. This is a new era. We are the era today. You must deal with the stuff as of today.

Yes, sir, boxing is a big money game. You know it and I know it. We took in at the Olympic games $6 million, made through TV, for six boxers. We didn't get it but they got it. The pros took it over—as you say, the smart guys with the upper Madison Avenue knowhow to put at work. I don't knock them. I am glad the kids are making some money. We are the one. I can't say this hard enough.

I want Congressman Williams and yourself, Mr. Chairman, I think you should go to Colorado Springs, our camp, where we have computers, we have everyone on tape, we know what our guys are doing. It is a 90-day waiting period. No more 15-or 40-day period. If you get knocked out, it is 90 days. I never heard of a guy coming in 2 or 3 days later and finding another. It is impossible. It is a 7-day period in there.

This is my country. I want us to be right, that you will be, I am saying. Whatever you put on this tape, make sure it is right, because I am sitting back there looking over your shoulders, too.

Thank you. I will answer your questions now.

This is a 12-minute tape. I will leave it with Congressman Williams, because you are on it. It is "The Fighting Chance" that we put out and got all the information. All the stuff you have been asking is right on the tape in color.

It is not what I say, which you can back up. So, Congressman, I leave my address and number. Please send it back to me.

Mr. Williams. I will.

Mr. Murphy. Congressman Williams, you lend that tape to me after you are through.

Mr. Williams. Yes.

Mr. Murphy. We have a VCR in the office. We would like to play it.

Is that as good as "Rocky III"?

Mr. Gault. Better than "Rocky III."

Mr. Murphy. OK.

I take it, Mr. Gault, that you are suggesting, to the contrary of the prior witnesses, that we should have a Federal type of commission, be it public or private, some Federal commission to establish a Federal regulation or set of Federal system?

Mr. **Gault**. I agree with this concept 100 percent. If we are doing no wrong, we have nothing to worry about, have we? I think we should have it.

We got a President. If he does something wrong, we vote him out. We need the same thing in boxing. We should have someone up here watching everyone. I believe that 100 percent, sir.

Mr. **Murphy**. Mr. Williams.

Mr. **Williams**. Mr. Gault, I agree with everything you have said, with the possible exception that we are ignoring you. That is why you are here. That is why you were invited, because we are not ignoring amateur boxing.

We want to hear from you and we want to work closely with you, I can assure you, because amateur boxing is a safer sport today than professional boxing, because people like you and others who have concerned themselves first with the worker, which in this instance happens to be the boxer in the ring. You have worried about worker safety more so than your professional counterparts. I commend you for it.

Let me ask a couple of questions about safety.

Are you supportive of the thumbless glove? Do you think it has a place in boxing?

Mr. **Gault**. I have a young man who is in the room today, who is 20 and 1, Darrell Tite, in the back. We fought in White Plains, NY the first time with a thumbless glove. He boxed with it, so I never boxed with it, Congressman, I am not going to say.

Ask him—he can stand up, he is right back there—how the glove felt on him, because he is the man that had the glove on. I didn't have it on, sir.

Mr. **Williams**. How did it feel?

Mr. **Tite**. Good.

Mr. **Williams**. Very comfortable?

Mr. **Tite**. Yes, sir.

Mr. **Murphy**. It didn't damage your hands or cause any inconvenience or discomfort?

Mr. **Tite**. No, sir.

Mr. **Murphy**. It seemed to work? Was that the solid, no thumb at all?

Mr. **Tite**. No thumb at all. Just having the fingers placed in the glove as a stationary target, with your fist that way. It cuts some of your power off, but it is good for the eye.

Your eye would not get bothered by it, so as you punch, you will punch down with your fist, not this way. It is a comfortable glove to me. I like it.

Mr. **Murphy**. Thank you. First-hand experience.

Mr. **Gault**. That is why I gave it to him.

Mr. **Williams**. What about the standing 8 count? Is that a positive feature in boxing?

Mr. **Gault**. Yes. When a person is hit on the chin real hard, he staggers. That gives the referee who is on the job a chance to give him a standing 8 count.

If you know the other night, it happened in the Marvin-Frazier, when he fought Tillis and brought him back, without the 8 count. I think it is a tremendous safety factor.

Mr. Williams. In professional boxing, just overall, do you think fights are stopped soon enough or too soon or about right?

Mr. Gault. Well, in my opinion, professional boxing, I think the referees are show-boating too much. They want to be on TV. That is my personal opinion. They are in the way.

Mr. Williams. Are you saying that they should stop fights sooner?

Mr. Gault. No. They should have stopped them a lot sooner.

You check the TV, you see the referee all over the TV. We want to watch the fight.

Mr. Williams. I remember watching fights with Ruby Goldstein. You could never see Ruby.

Mr. Gault. That is what I am saying. That is the difference. You answered my question. Thank you, sir.

Mr. Williams. Would longer rest periods between rounds, as suggested by the Commissioner in Nevada, would that be helpful, 90 seconds or 2 minutes?

Mr. Gault. Well, I would not knock that, but any time you have a longer rest period, it is going to be better for you. That is just common knowledge. I will go along with that.

Mr. Williams. What about headgear, Pappy?

Mr. Gault. Headgear is the greatest thing to happen to amateur boxing since we have been in boxing.

The trouble with headgear is we have some managers and trainers and they don't know how to fit the headgear on. You pull it, bring it down over the ears, cover the eyebrows here, then you adjust the damn thing. They don't adjust it. They put it on a head. You use it and I use it. That is why the headgear looks bad.

The headgear is the greatest thing. If it was not good, why do the pros, when they train and spar, they put a headgear on their head? Every gym you go to, you will see headgear on the head. Headgears are very good, Congressman.

Mr. Williams. Mr. Torres said, however, it gave him a false sense of security. He might wear it to train but not to fight in.

Mr. Gault. Well, that was very good. If Mr. Torres was on my 1968 Olympic team, he would have worn it. I don't care what he said.

It is my responsibility as that man's coach and trainer for his safety and welfare. Like your son, it is my job to protect that kid. What he said don't mean a hill of beans. It is our job to protect these kids, not what they like and don't like.

Mr. Williams. Finally, I have some friends that don't care for professional boxing and they usually don't watch a fight with me, or if they do, they watch a round or two and then leave the room. And they very seldom go to a fight with me.

I know when the Olympics are on, they will watch and seem to enjoy the Olympic fights. I have asked them why and, well, they say because they are less violent. But I don't think that is it.

I think there is something else that has to do with the skill and the art form involved in amateur Olympic fighting, much of which is due to the training, part of which is simply due to the rules, which make it more enjoyable to a wider number of people in the United States.

Can you comment on that?

Mr. GAULT. Yes; I think I can, sir. I feel amateurs—and when you get to the Olympic games, we have the cream of the crop. The guy is moving nice; they have been trained right. Other countries are the same way. You don't see what you called earlier in your statement mismatches or one-sided events.

Some of the small countries that don't have the—like Cuba, Russia, Yugoslavia, those are tough countries. They have got good teams. So you are going to see guys there that could be a pro today. They are better than some of our pros.

Here we are flooding the market with so much every week, it kills the sport because you are overdoing it. And you are showing guys not second rate, they are not the top boy, and the viewers get tired of watching that.

The American public is no fool. They know when they have a $1 bill to 50 cents, and that is your problem, sir. You have got these amateurs, and our program, I am proud of it, because we are putting so much into it.

Russia was kicking our butts every year. We went back to the drawing board. We police ourselves. We got together and worked out a program. We got guys like Don Hall—greatest person ever had in boxing—who teaches and shows us. Fox out of Colorado Springs, we have a camp now. We have everything now we need and our kids are proving that.

We came back with nine gold medals in the last Olympics. They broke my record. I had the record from 1968 until then. I am so happy it got broken, because our boys broke it.

But to answer your question, we have got everything you have been asked. The computer we have got, 40,000 members. Every time he boxes, we can tell you where, who got hurt.

We have a 90-day period; if you get knocked out, you are out for 90 days, not for 45 or 30. You must come back to the eye specialist, back to the neurosurgeon. You get a full examination.

Congressman Williams, you got a great idea and you have, too, Mr. Chairman. I think it is a great program you are trying to put together. You got our backing 100 percent, because we have got nothing to hide.

I wish it would get through right away. Wait for this and wait for that? Don't wait for a damn thing; get off your butt and go ahead and do it and get it done.

Mr. WILLIAMS. We appreciate your advice.

Mr. GAULT. Thank you.

Mr. MURPHY. Mr. Bartlett.

Mr. BARTLETT. Mr. Gault, could you tell us what is the state of safety in amateur boxing today?

Mr. GAULT. Amateur boxing is the safest sport there is today.

We have to give you and compare—say you have a match going today. This is the ring. At ringside, we have a doctor with a stool sitting right there, one on this side, getting in the ring real fast.

On top of that, our referees are told "if they get hit on the chin with a hard blow, stop and give the man an 8 count." If he gets hit four times in a round or five times in the bout, it is stopped automatically. You don't have to be knocked down. If you think he is hurt, we stop it.

Then before the bout is examined and is examined again, the doctor examines him. Our coaches, the coaches all over the United States, if one of our kids did get, as you say, knocked out, we stay with the kid all night, take him back to the hotel. The coaches stay with the kid all night to make sure.

We look out for our kids like it was our son. We are proud of the kids, and I think the safety in amateur boxing is the greatest thing that ever lived right now, believe me.

Mr. **Bartlett**. What organization promotes or issues the standards and regulations for amateur boxing?

Mr. **Gault**. U.S. Amateur Boxing Association. I am president of LBV of Washington. Each association, two of us, we have elections in the association.

Where you live, sir, like in Texas, you have got a chairman down there. He is our LBC person in Texas. We had some good fighters down there.

Mr. **Bartlett**. Still have.

Mr. **Gault**. Yes, sir. And that is how we do it.

And then we have our meeting at our own State level. Then any complaint we have, we forward to Colorado Springs. We have a camp at Lake Placid and we keep our kids going.

Mr. **Bartlett**. How many people are involved?

Mr. **Gault**. We have 40,000 registered athletes. It is on the tape. You will see it too.

Mr. **Bartlett**. I would like to see it.

How are you funded?

Mr. **Gault**. We are funded by registration fees. What that is, a kid has to pay $9 a year; that is for his insurance. If he gets hurt at the gym, he can go to the doctor. We pay for it. If he is home from training, we still take care of it.

So go to boxing matches, that is to protect the kid. No, we get $2 for the association out of that. That is all over the United States.

The nonathletes pay $15. That means a guy like you who wants to be a member of the club, you pay $15 a year to get your patch, ABF patch, your pin, and those things. That is how we get our money. And our shows, our little shows, we get our money from there.

We don't—our stuff is all volunteer. We have some paid salaries up at Colorado Springs, because we know, we realize, we have to have certified.

Mr. **Bartlett**. There is no Federal Government involved in the association?

Mr. **Gault**. No, sir. They might give us a donation. That I can't answer.

As far as I know, in the 40 years I have been there, I have not seen the Government give us anything.

Mr. **Bartlett**. You don't think amateur boxing should be included in this bill, or do you?

Mr. **Gault**. The only thing I said, you should get the ideas, get their feeling, because they are the rookies coming up. You are affecting their lives, whatever you say. They should have a say-so, the amateur people, because you are getting our kids.

In other words, our kids today, here is one. When the Olympic games was over, there was no doubt, they were gold medal winners. As you say, your fans and the public accepted them and made them a lot of money. That is what I am saying.

Mr. **Bartlett**. If amateur boxing in this country is the safest sport, the safest sport in the country, in your words, where would you rate professional boxing?

Mr. **Gault**. Professional boxing, I don't think professional boxing has that many accidents, really. I don't say they don't have the boxers that we have, because our kids, we are not rushing for a dollar. We are just working our kids along, because it is a hobby.

Professional managers, you have to move that guy, make sure you can get him over. This is why I would never knock one of my brothers and professional boxing is our brothers. Our kids leave the amateurs, but I don't like to see them.

Let's stop making excuses and leaning on something. Let's go to the root, if there is money, you have four States. You say Nevada, New York, Atlantic City, gambling casinos are there. You know they have the money, right or wrong, Mr. Bartlett. That is where your money is. I am not crazy.

Mr. **Bartlett**. Thank you.

Mr. **Gault**. Money makes you funny.

Mr. **Bartlett**. It does all kinds of things to you.

Mr. **Gault**. Thank you, sir.

Mr. **Murphy**. Thank you very much. We appreciate your being with us.

Mr. **Gault**. Thank you, Mr. Bartlett.

Mr. **Murphy**. The final witness we have is Mr. Bela Szilagyi from Columbus, OH.

STATEMENT OF BELA SZILAGYI, ASSOCIATE EDITOR, RING RECORD BOOK, COLUMBUS, OH

Mr. **Szilagyi**. It is a pleasure to be here in front of this committee. This has been a very, very interesting morning, and I think I came here to add some more fuel to the fire.

I have a prepared statement here. Coming from Columbus, OH, which in professional boxing seemed to have been one of the worst conditions anywhere in the United States. I will touch on some of these subjects versus our new State commission, versus what it was like before we had the State commission.

Boxing is a sport to which there is an art. At its best, training, discipline and talent are combined to display a battle of wills between two perfectly tuned athletes. At its worst, it portrays a crude spectacle, inviting danger to both participants.

I have been an avid boxing fan since I was 9 years old, following boxing closely ever since the first Joe Louis-Jersey Joe Walcott bout held December 4, 1947. Growing up in New York during the 1950's afforded many opportunities to witness the golden age of boxing.

I once went to Stillman's Gym, put on gloves, and was hit on the nose. That was both my first and last venture as a boxer. I could not injure my hands, as I was pursuing a career as a concert pianist.

As a youngster, I always carried a notebook on fighters' records. In 1955, I was chosen to be a contestant on the $64,000 Question, a television quiz show, with boxing as my category. I was scheduled to challenge Dr. Joyce Brothers. Unfortunately, a scandal forced the show to be canceled before I was able to appear.

In New York, I lived around the corner from St. Nicholas Arena and was a regular fan at every Monday night show. In 1968, I moved with my family to Columbus, OH, to accept a position as artist-in-residence at Capital University. I quickly was able to make connections to be at ringside for Columbus bouts.

For the first time I became acquainted with boxers, managers, promoters and everyone else related to the boxing scene in central Ohio. I began compiling records of Columbus boxers only to find that they also fought out of State. The mushroom effect had started.

Since 1979, I have spent at least 5 hours a day compiling the finest and most extensive collection available on active U.S. boxers, 12,000-plus, and a video library of over 2,100 television bouts. I have become a key source for boxing information in America, but I have deliberately maintained a low profile in an effort to protect my network.

The main reference for published boxing records in the United States has always been Ring Record Book, but unfortunately Ring lists only 25 percent of the active U.S. boxers. For the past 2 years, I have been associate editor of Ring Record Book, updating only the records of fighters they have chosen to list.

By the time these records become available, they are obsolete. Records ending in December do not appear in print until June of the following year.

Recently I attempted to publish my own record book for the United States, but the cost of printing over 12,000 complete records was prohibitive. As a result, there is no complete listing of U.S. boxers available in print today. The countries of England and Italy have been publishing meticulous boxing records of European fighters for several years.

Recently a series of articles by Russell Schneider of the Cleveland Plain Dealer, stated that the Ohio Boxing Commission was the worst of all U.S. commissions. Mr. Schneider should have investigated the boxing situation when it was under city jurisdiction.

Illegal toughman contests were commonplace. Steve Parrat of Columbus was sanctioned to fight with a glass eye. Another fighter took six tranquilizers before a fight. A local manager in Columbus frequently picks up kids off the streets hours before a fight and puts them in the ring with professionals.

I have listed in my written report seven boxers who have fought on consecutive nights in violation of the 72-hour waiting period. The Ohio Boxing Commission has adopted a get-tough policy, suspending manager Lee Williams and boxer Sam Gervines for forging medical records.

Such irregularities are not unique to Ohio; indeed, they exist all over the country. Four examples of overt violations in boxing within the United States are cited as follows:

One, on October 5, 1984, 59-year-old Milo Savage, New Jersey boxing judge, and a well-known former middleweight contender of the 1950's, fought a four-round bout against Milton Bennett on an unsanctioned toughman card in New Port, OR.

Two, Bobby Harjo was knocked out twice in 1983, and it was later discovered that the Oklahoma-based fighter had fought with a pacemaker implanted in his chest.

Three, Eddie Flanners, alias Eddie Flannings, alias Tayib Rahim, from Savannah, GA, with a professional record of 4 wins and 25 losses, was knocked out 4 times within a span for 9 days.

Four, in Ottawa, Canada, where no commission exists, a proposed bout between former heavyweight champion Joe Frazier and former Canadian champion Bob Cleroux is planned for June of this year. The combined ages of these two retired champions is well over 90 years.

As a boxing record consultant, I can see more than just a factual listing of boxers' names with dates and results. It is possible to see a boxer's record and tell immediately if any names have been faked or if indeed these opponents exist.

My records also state age, weight, origin, stance—left or right-handed, sometimes height and even the boxer's style. Furthermore, it is possible to determine what level a boxer has attained by examining his record.

By studying boxing records over the past 6 years, I have discovered several problems which could be solved by the proposed American Boxing Corp.

One, at the top of the list is a concern that not all States have boxing commissions. Colorado, Georgia, Kentucky, North Carolina, Oklahoma, South Dakota, Wyoming, and Oregon are without governing bodies.

Two, even if a State boxing commission has records of their resident boxers, as in New York and New Jersey, they are still limited by the inability to obtain records of any opponents from out of State.

Three, managers and promoters are often able to fake boxers' records to make matches look more competitive.

Four, as long as there is no reciprocal action between State commissions, managers will continue to transport fighters across State lines to skirt around the 72-hour waiting period between bouts.

Five, by the same token, fighters can change their names and cross State lines without being discovered by neighboring commissions.

Six, fighters have no source for obtaining opponents' records outside of Ring Record Book which is both limited and outdated.

Seven, fighters who have sustained many losses with very few wins should be subject to a uniform suspension law in all States. The State of Nevada has adopted rule No. 467.022, which allows the State boxing commission the right to retire a fighter "for lack of ability."

After having notated and analyzed the sport of boxing for many years, I strongly feel that a central organization is long overdue. I believe that Congressman Pat Williams' legislation for boxing reform, the formation of American Boxing Corp., is a major step toward improving the safety standards of the sport.

And the first objective for the organization should be to establish a central registry of U.S. boxing records. Maintaining this registry would require total cooperation on the part of each State commission.

In regards to the nine States without boxing commissions, the formation of such organizations would be strongly encouraged in those States.

I would emphasize that in order for this central registry to be effective, commissions must report all fight card results within 12 hours after the events. These telephone entries may later be reconfirmed by the customary mailing of written forms from the commissions.

And on the other hand, these records should be instantly available to every boxing commission by calling the central registry office. It is also important that these records be made available to boxing commissions in written form, with periodic updates. Managers, promoters, matchmakers and boxers would be able to purchase these editions.

The American Boxing Corp. will surely face a twofold challenge—to convince the boxing fraternity that a centralization must take place and to assure all critics that boxing's ills can be remedied without abolishing the sport. Indeed, our goal must be to make the ring a safer place in which a boxer can work.

Thank you very much.

[The prepared statement of Bela Szilagyi follows:]

PREPARED STATEMENT OF BELA SZILAGYI, BOXING RECORD CONSULTANT, ASSOCIATE EDITOR OF RING RECORD BOOK

FULL STATEMENT

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The main reference for published boxing records in the United States has always been Ring Record Book, but unfortuately Ring lists only 25% of the active U.S. boxers. For the past two years, I have been associate editor of RRB, updating only the records of fighters they have chosen to list. By the time these records become available, they are obsolete. Records ending in December do not appear in print until June of the following year.

Recently I attempted to publish my own record book for the United States, but the cost of printing over 12,000 complete records was prohibitive. As a result, there is no comprehensive listing of United States boxers available in print today. (The countries of England and Italy have been publishing meticulous boxing records of European fighters for several years.)

Last month a series of articles by Russell Schneider of the Cleveland Plain Dealer stated that the Ohio Boxing Commission was the worst of all the U. S. commissions. Mr. Schneider should have investigated Ohio boxing before the state took over, when Columbus was under local jurisdiction. Here are a few examples of incidents which occurred in Central Ohio before the present state commission was formed.

Example No. 1

Toughman Contests, now illegal, were permitted. (For those who are unfamiliar with these events, Toughman Contests are fights by street brawlers with no boxing skills.) These contests represent barbaric activity in the crudest form imaginable—accidents waiting to happen. On March 22, 1980, Ronald Miller died following a Toughman bout in Johnstown, Pennsylvania. In Columbus, the chairman of the city boxing commission had financial investments in the Toughman Contests nationwide.

Toughwoman Contests, Roughman, Toughest of the Tough all sprang from the same idea and flourished in Columbus for several years until the Ohio Boxing Commission banned them.

Example No. 2

In professional boxing, many flagrant violations took place in Central Ohio.

(A.) Steve Parrat, Columbus lightweight, had two bouts in 1983-November 30 and December 19. Stopped both times, he fought with one glass eye!

(B.) On April 30, 1984, Scott Huston fought Vincent Nelms in Columbus. Scott was so high after taking six tranquilizers that he forgot to put on his foul-proof cup.

(C.) On August 23, 1981, the City of Columbus paid Billy Douglas to present a free boxing show at an outdoor community center. Jeff Arness and Steve Leonard were each offered $75.00 to fight two of Douglas's professional fighters. Jeff and Steve had never fought before, and never after that, which leads me to believe that the two men were literally "picked up off the street" for their introduction to boxing, beaten up by pro fighters Frank Farmer and William Hodge, and then paid only $20.00 each.

On the same fight card, Tim Johnson opposed Donnie Long. On the previous night, Johnson had lost to Young Joe Louis in Detroit, thus breaking the commission rule that 72 hours must elapse before fighting again after a decision loss. The following examples illustrate other times the waiting period was deliberately ignored by Columbus fight managers:

Bo Moody (1982):
Jan. 22—Johnny Summerhays, Toronto, L8.
Jan. 23—Kean McGill, Mcconnellsville, L8.
Feb. 12—Greg Coverson, Detroit, L10.
Feb. 13—Lou Bizzzro, Erie, L10.
Tim Johnson (1980):
Dec. 4—James Spears, Morristown, KO by 3.
Dec. 5—Robert White, Clarksburg, KO by 2.
Phil Brown (1981):
Aug. 22—Tony Anthony, Lincoln Park, L6.
Aug. 23—Darnell Hayes, Columbus, L4.
Willie Crawford (1979):
Apr. 19—Mike Hardin, Richfield, W6.
Apr. 20—Al Fracker, Cleveland, KO6.
Darnell Hayes (1980):
Sept. 10—Zeke Zelchowski, Detroit, KO2.
Sept. 11—Donny Townsend, Columbus, KO2.
Frank Farmer (1982):
Apr. 23—Jeff Jordan, Marion, L6.
Apr. 24—Lou Serbell, Johnstown, KO by 4.
May 23, 1983—Kip Kane, Columbus, L8.
May 24—Mike Perkins, Atlantic City, KO by 1.
James Douglas (1982):
Feb. 14—Donny Townsend, Erie, W6.
Feb. 15— Marvin Earle, Kalamazoo, KO2.

Example No. 3

A case unto himself would be Billy Douglas, manager and middleweight contender, who has been banned in Michigan and in Canada. He booked Darnell Hayes for 24 bouts in 1981; Hayes lost 20 of these bouts, 13 by KO. As an illiterate, Hayes never understood by his contracts how much money he was to earn in a bout. As a result, Billy Douglas would pay Hayes only a small percentage of the contracted amounts.

On November 4, 1983, Billy Douglas took Nekoda Leftenant to Tampa, Florida, to meet Robert Pew in a featured event on USA cable network. Leftenant was fighting under the name of Tony Davis. He went down in the opening round without being hit and gave what the announcers called "an Academy Award performance." Leftenant has lost all of his seven pro fights by knockout, six in the first round.

Over the past eight months, nothing was heard from Billy Douglas and his infamous "Cooler Gang"—that is until April 21, 1985, at which time Douglas and four of his fighters (Forrest Pitts, Marvel Hill, Cedrick Mitchell and Lester Leigh) entered Orange, New Jersey. All four fighters were knocked out in less than three rounds. The combined record of these fighters was 3 wins, 25 losses.

Since the Ohio Boxing Commission (OBC) took charge in 1983, the picture of boxing throughout the state has greatly improved. One case in point was the Ohio suspension of Lee Williams, who has a stable of substandard fighters. Columbus middleweight Sam Gervins reported to the OBC that Williams had forged his medical report three days after his ten-round loss to Matthew Hilton, on October 13, 1984, in Montreal. Gervins sustained a rib injury and fought Joe Walker in a six-round bout in Canton, Ohio, on October 16, 1984. The suspension of Lee Williams marks a positive step in the right direction by the OBC.

I receive frequent calls from Carol Parisi of the OBC, asking my opinion on certain fighters who appear suspicious on proposed boxing cards. I can honestly say that the OBC is making a sincere effort to monitor the sport.

Amid the sea of mediocrity in Ohio, the state can boast many champions, such as Ray Mancini, Aaron Pryor, Michael Dokes, Tony Tubbs, Harry Arroyo, Greg Richardson and Hilmer Kenty. Ironically though it may seem, Ohio's amateur boxing program is one of the most outstanding in the United States. At the Ohio State Fair Amateur Tournament, virtually every amateur champion in the United States has competed at this annual event. A product of this fine program is Columbus's Jerry Page, Olympic Gold Medalist in the light-welterweight division at the 1984 Olympics in Los Angeles.

I have specifically chosen Ohio up to this point to illustrate the need for regulations on a national level. Such irregularities are not unique to Ohio; indeed, they exist all over the country.

Four examples of overt violations in boxing within the U.S. are cited as follows:

(1.) On October 5, 1984, fifty-nine year old Milo Savage, New Jersey boxing judge and well known former middleweight contender of the 1950's, fought a four-round bout against Milton Bennett on an unsanctioned Toughman card in Newport, Oregon.

(2.) Bobby Harjo was KO'd twice in 1983, and it was later discovered that the Oklahoma-based fighter had fought with a pacemaker implanted in his chest.

(3.) Eddie Flanners, alias Eddie Flannings, alias Tayib Rahim, from Savannah, Georgia, with a professional record of 4 wins and 25 losses, was knocked out four times within a span of nine days. The following list verifies:

Mar. 17, 1985—Harvey Hester, Tampa, FL, KO by 6.
Mar. 20, 1985—Roman George, Lafayette, LA, KO by 3.
Mar. 23, 1985—Sammy Rivera, Bristol, TN, KO by 1.
Mar. 25, 1985—Lloyd Taylor, New Carrollton, MD, KO by 1.

There is little doubt that time spent between fights was devoted solely to travel by car.

(4.) In Ottawa, Canada, where no commission exists, a proposed bout between former heavyweight champion Joe Frazier and former Canadian champion Bob Cleroux is planned for June of this year. The combined ages of these two retired champions is well over 90 years.

As a boxing record consultant, I can see more than just a factual listing of boxers' names with dates and results. It is possible to see a boxer's record and tell immediately if any names have been faked or if indeed these opponents exist. My records also state age, weight, origin, stance (left or right handed), sometimes height and even the boxer's style. Furthermore, it is possible to determine what level a boxer has attained by examining his record. Parenthetically, I maintain seven categories of boxing levels which are listed as follows:

A. Champion—world class boxer

B. Contender—rated in top 10 of his weight class
C. Prospect—any fighter with 5 straight wins
D. Club Fighter—few boxing skills, usually crowd pleaser
E. Journeyman—shop-worn veteran
F. Bum—puts up losing effort
Stiff—deliberately loses

By studying boxing records over the past six years, I have discovered several problems which could be solved by the proposed American Boxing Corporation.

(1.) At the top of the list is a concern that not all states have boxing commissions. Colorado, Georgia, Kentucky, North Carolina, Oklahoma, South Dakota, Wyoming and Oregon are without governing bodies.

(2.) Even if a state boxing commission has records of their resident boxers (as in New York and New Jersey), they are still limited by the inability to obtain records of any opponents from out of state.

(3.) Managers and promoters are often able to fake boxer's records to make matches look more competitive.

(4.) As long as there is no reciprocal action between state commissions, managers will continue to transport fighters across state lines to skirt around the 72-hour waiting period between bouts.

(5.) By the same token, fighters can change their names and cross state lines without being discovered by neighboring commissions.

(6.) Fighters have no source for obtaining opponents' records outside of Ring Record Book, which is both limited and outdated.

(7.) Fighters who have sustained many losses with very few wins should be subject to a uniform suspension law in all states. The state of Nevada has adopted rule #467.022 which allows the state boxing commission the right to retire a fighter "for lack of ability."

After having notated and analyzed the sport of boxing for many years, I strongly feel that a central organization is long overdue. I believe that Congressman Pat Williams's legislation for boxing reform, the formation of American Boxing Corporation, is a major step toward improving the safety standards of the sport. And the first objective for the organization should be to establish a central registry of United States boxing records. Maintaining this registry would require total cooperation on the part of each state commission. In regards to the nine states without boxing commissions, the formation of such governing bodies should be strongly encouraged in those states.

I would emphasize that in order for this central registry to be effective, commissions must report all fight card results within 12 hours after the events. These telephone entries may later be reconfirmed by the customary mailing of written forms from the commissions. And on the other hand, these records should be instantly available to every boxing commission by calling the central office. It is also important that these records be made available to boxing commissions in written form, with periodic updates. Managers, promoters, matchmakers and boxers would be able to purchase these editions.

The American Boxing Corporation will surely face a twofold challenge—to convince the boxing fraternity that a centralization must take place and to assure all critics that Boxing's ills can be remedied without abolishing the sport. Indeed, our goal must be to make the ring a safer place in which a boxer can work.

Mr. MURPHY. Thank you very much. Mr. Williams, do you have any questions?

Mr. WILLIAMS. Yes, thank you, Mr. Chairman.

I am very pleased with your testimony. The specificity with which you have studied and collected boxing records leads you to what I think ought to be the conclusion for every boxing fan, that is that we desperately need some type of an authority.

Mr. SZILAGYI. Yes, sir.

Mr. WILLIAMS. To provide boxing with the safety standards that it needs, ranking and rating of fighters and setting of championships. Many people can't come to that conclusion because in my judgment they just haven't looked at the records of boxing to see what is going on. You have.

Mr. SZILAGYI. Absolutely.

Mr. **Williams**. Another thing perhaps that prevents a more overwhelming sport—I am pleased it is growing—for something like my bill is this fear—which I really think is unfounded—of the Federal Government doing anything any more.

The hard fact is that the Federal Government has wrought economic and social miracles in this country for the past 50 years but suddenly if the Federal Government wants to establish one more agency, we pretend that the weight of it is going to send the plane out of orbit and we also pretend that the Federal Government has never done anything successful, and history refutes that soundly.

You became a boxing fan the same evening I became a boxing fan.

Mr. **Szilagyi**. Wonderful

Mr. **Williams**. Who won that night?

Mr. **Szilagyi**. Jersey Joe Walcott. It was Walcott won it. Lewis won the decision.

Mr. **Williams**. I mean who won it?

Mr. **Szilagyi**. I went to school and wrote an essay on it. My teacher didn't like it. But I thought Wolcott had an edge.

Mr. **Williams**. We are in good company, Ruby Goldstein thought that.

Mr. **Szilagyi**. Yes, sir.

Mr. **Williams**. Wolcott won the fight, too. I have no questions of you except one. Will you agree to stay in touch with us and us with you so we can try to refine this bill?

Mr. **Szilagyi**. Yes, sir. Another reason I had a few days, I worked very hard to put this together, it was only in a few days. Anything that you need I have or I almost have all kinds of information.

Mr. **Williams**. I know you do, I know you are a wealth of it, and you may be the premier collector in this country.

Mr. **Szilagyi**. It is not only that but I brought along a copy, I work with Flash Gordon in New York, and we put out a famous issue called Ohio's Greatest Stiffs. He told me to put this up in all the gyms in New York and they would come and burn my house down. You have to see this before, in fact, I will give a copy to you.

Mr. **Williams**. I am looking forward to that. I appreciate that and we will be in touch with you as the legislation progresses, and don't hesitate to be in touch with us if you have suggestions how the bill might be improved or if you have suggestions about people that you think we need to——

Mr. **Szilagyi**. Yes, sir.

Mr. **Williams**. Contact for further hearings or for additional information. Please let us know.

Mr. **Szilagyi**. What you need is a doctor in favor of this, something like——

Mr. **Williams**. We have talked to Ferdy. While he hasn't spent enough time with the bill to know whether or not he is supportive of it in its ticks, he has believed that something of this sort is necessary.

Mr. **Szilagyi**. Yes, sir.

Mr. **Bartlett**. My only question is do you concur with one of the prior witnesses, that this legislation ought to be, this national corporation ought to be temporary, only to get it started and then to withdraw the Federal mandate or do you believe it should be a——

Mr. SZILAGYI. I believe it should be permanent.

Mr. BARTLETT. Thank you.

Mr. WILLIAMS [presiding]. Again, our thanks to each of the witnesses who appeared here today. We are grateful for the time and effort you took to prepare your testimony.

And the hearing of the Subcommittee on Labor Standards is adjourned.

[Whereupon, at 12:05 p.m., the subcommittee adjourned subject to the call of the Chair.]

[Additional material submitted for the record follows:]

PREPARED STATEMENT OF HON. JOSEPH B. MONTOYA, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

I wholeheartedly support HR 1689 which would create the American Boxing Corporation—an oversight body at the National level.

A national commission is sorely needed; it is a fact that boxers who have become fatalities have been as a consequence of nobody really having the correct information, the responsibility or the oversight for what is going on in other states.

One of the many voids a national oversight commission could fill would be the development of a national rating system. There needs to be a serious examination of how the WBA, WBC and the IBF set up their own rating standards. A national commission would need to have impartial members on the rating committee which is a far cry from what is being done right now with the WBA, WBC, and IBF. These organizations are not interested in the safety of the participants. They are only interested in enlarging their own pockets, they are accountable to no one.

A national rating system would greatly reduce the number of mismatches. "Matchmaking is probably the single most contributing factor to injuries in the ring—injuries and deaths. There are horror stories afterhorror stories about mismatches. For example, Glenn Corbus (San Jose, California, 1983) fought Frankie Valdevia, both prior amateurs making a debut in a six round professional fight. Corbus's record was 108 amateur fights with 70 knockouts; Valdevia's record was 15 amateur fights—no reported knockouts. Corbus completely controlled the fight and there were many gross violations. (Steve Vendor, Freelance Boxing Journalist, Professional Boxing Interim Hearing, July 21, 1983) The fight should have been stopped. If there were national rating standards, these two would never have been matched.

Another point I want to make concerns the practice of allowing managers and promoters to set up one hard fight after another for a boxer. The boxer fights in Nevada, takes a lot of hard head punches then, three or four weeks later he is fighting in California, and a month later somewhere else. It's the relentless scheduling of fights like these that cut short a fighter's career.

Moreover, a commission or corporation as HR 1689 creates would control the undesirable practice of permitting a boxer who has had his license stripped in one state from fighting in another state.

I believe professional boxing is here to stay. It is not an establishment sport. The truth is that boxing has always been an opportunity for the poorest of the poor, whether they are white, brown, or black. All you have to do is look at the background from where these young men are coming from and you will find that there's definitely that potential, that if they were not involved in this sport on a recognized basis. they could be a burden in terms of our penal institutions.

So there is a benefit that is hard to measure; it does create an outlet and for some it has created a fantastic opportunity to succeed.

National regulatory controls and public scrutiny are vital to the survival of professional boxing. In order to prevent boxing mismatches, serious injuries and organized crime intrusion, federal oversight is paramount.

California is viewed by many as having some of the most stringent standards, of any state. We are losing fights, promoters are going to other states where commissions are much more lax or nonexistent.

Recently, I introduced SB 1324 which is a rewrite of Chapter Two, Division 8, of the California Business and Professions code, relating to boxing and wrestling (see enclosed). Our interest here is to clarify existing law, plug the loopholes and bring them up to date.

I have also authored numerous reform bills over the last three years. Some of these that were chaptered into law accomplished the following mandates. SB 1415 mandates the use of the safety glove, a thumbless glove or a conventional type glove where the thumb is attached. This law also mandates that the ring floor and padding meet newly established specifications and standards.

SB 764 increased the number of members on the State Athletic Commission from three to five to constitute a quorum.

SB 766 established standards and enforces training for inspectors and doctors.

One bill which did not pass, challenged the California legislature's definition of "conflict of interest." This bill would have prohibited someone who is licensed by the State Athletic Commission from being appointed in serving on the Commission.

I am glad to see that Congressman Williams has addressed this issue in his bill. I believe it is an important issue if you truly desire to build a respectable commission or "corporation."

Boxing is a permanent fixture in the professional sporting establishment of this country. Unlike most other sports, its internal regulatory agencies are fragmented. Its participants are supported in a piece meal fashion with insufficient consideration given to their safety and overall well being. The sport has great inherent risk to its participants, which with proper regulation, this risk can be reduced significantly. Boxing needs to be elevated to the same standards of fairness and safety as other professional sports by a unified, national oversight commission.

Texas Department of Labor and Standards,
Austin, TX, May 29, 1985.

Hon. Austin J. Murphy,
Chairman, Subcommittee on Labor Standards, Committee on Education and Labor, U.S. House of Representatives, Washington, DC

Dear Mr. Murphy: We are in receipt of your letter of May 13, 1985 concerning the hearing on H.R. 1689. Even though we are extremely concerned about the regulation of professional boxing, my current responsibilities prevent me from appearing at the hearing.

We at the Texas Department of Labor and Standards would like to go on record as supporting the philosophy behind H.R. 1689 but we do not feel that it goes far enough.

To establish model boxing commission standards (minimum compensation, insurance, environmental standards, standards for equipment and boxing facilities) is a commendable goal. However, these standards are not worth the paper that they are written on unless they are enforced uniformly.

We feel that H.R. 1689 should (besides the areas already addressed) reflect the following in an effort to adequately protect the professional boxer:

1. Every state without a law, which regulates professional boxing, be required to comply with the provisions of the statute
2. Establish uniform medical standards
3. Establish uniform boxer/manager contracts
4. Establish a national computer network, to track boxers
5. Establish uniform standards for suspensions or rest periods
6. Establish a national "passport" for all professional boxers

We could go on with areas that need to be addressed but unless the regulation is mandatory and the enforcement uniform it would be a waste of time.

We would be delighted to provide you with more detailed testimony or to appear at any further hearings as we want to cooperate in any way that we can to better professional boxing in the United States.

Enclosed you will find a copy of the current Texas Boxing Law along with administrative rules. These rules were adopted with great thought and after several public hearings. We do not in any way imagine that they are perfect but we do feel that they are workable and effective.

Again, I am sorry that I am unable to appear and if I can be of assistance to you in this matter, please feel free to call on me.

Sincerely,

Larry E. Kosta,
Director, Labor/Licensing and Enforcement.

Enclosure.

STATE LAWS GOVERNING
BOXING
IN TEXAS

with

RULES AND REGULATIONS

issued by

TEXAS DEPARTMENT OF
LABOR AND STANDARDS

TEXAS BOXING & WRESTLING ACT
ARTICLE 8501

A BILL TO BE ENTITLED AN ACT revising the Texas Boxing and Wrestling Laws, Chapter 241, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 8501-1 et seq. V.T.C.S.); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. The Texas Boxing and Wrestling Laws, Chapter 241, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 8501-1 et seq. Vernon's Texas Civil Statutes) are revised to read as follows:

Section 1. SHORT TITLE. This Act may be cited as the Texas Boxing and Wrestling Act.

Section 2. PURPOSE. It is the legislature's intent to improve the general welfare and safety of the citizens of this State. The legislature finds that the boxing and wrestling industry in this State should be regulated in order to protect the best interest of both contestants and the public and it is the responsibility of the State to provide for the protection of the contestants and the public through the imposition of certain regulations on the boxing and wrestling industry and to impose a gross receipts tax upon the proceeds obtained from boxing and wrestling performances to finance said regulation. The legislature finds this to be the most economical and efficient means of dealing with this problem and serving the public interest. Accordingly, this Act shall be liberally construed and applied to promote its underlying policies and purposes.

Section 3. DEFINITIONS. Whenever used in this Act, unless the context otherwise requires, the following words and terms have the following meanings:

(a) "Commissioner" means the Commissioner of the Texas Department of Labor and Standards, or his designated representative.

(b) "Department" means the Department of Labor and Standards.

(c) "Person" includes an individual, association, partnership, or corporation.

(d) "Professional Boxer or Wrestler" means a person to be licensed by the Department who competes for a money prize, purse, or compensation in a boxing or wrestling contest, exhibition or match held within the State of Texas.

(e) "Exhibition" means a demonstration of boxing or wrestling skills.

(f) "Boxing" as used in the Texas Boxing and Wrestling Act includes kickboxing, a form of boxing in which blows are delivered with any part of the arm below the shoulder, including the hand, and any part of the leg below the hip, including the foot.

(g) "Judge" means a person to be licensed by the Department who is at ringside during a boxing or wrestling match and who has the responsibility of scoring and the performance of the participants in the match.

(h) "Referee" means a person to be licensed by the Department who has the general supervision of a boxing and wrestling match or exhibition and is present inside of the ring during the match or exhibition.

(i) "Promoter" means a person to be licensed by the Department who arranges, advertises, or conducts a boxing or wrestling contest, match, or exhibition.

Section 4. ENFORCEMENT RESPONSIBILITY. The Department shall have The sole jurisdiction and authority to enforce the provisions of this Act and the Commissioner shall investigate any allegations of activity which may violate the provisions of this Act.

(a) The Commissioner is authorized to enter at reasonable times and without advance notice any place of business or establishment where said alleged illegal activity may occur.

(b) The Commissioner is authorized to promulgate rules and regulations and hold administrative hearings in accordance with the Administrative Procedure and Texas Register Act, Article 6252-13a, V.T.C.S. The Commissioner shall promulgate any and all reasonable rules and regulations which may be necessary for the purpose of enforcing the provisions of this Act. The Commissioner is authorized to promulgate rules and regulations governing professional kickboxing contests or exhibitions, which shall be fought on the basis of the best efforts of the contestants. The Commissioner shall have the power and authority to revoke or suspend the license or permit of any judge, boxer, wrestler, manager, referee, timekeeper, second or promoter for violations of any rule or regulation promulgated pursuant to this Act or for the violation of any provisions of this Act and he may deny an application for a license when the applicant does not possess the requisite qualifications.

(c) The Commissioner shall have the power and authority to hold a hearing regarding allegations that any person has violated or failed to comply with the provisions of this Act. In addition to the denial, revocation or suspension of a license, the Commissioner may order the forfeiture of the purse of any boxer, wrestler or manager in an amount not to exceed One Thousand Dollars ($1,000.00) for the violation of any rule or regulation promulgated pursuant to the Act or for the violation of any provisions of this Act, and said monies shall be deposited to the credit of the General Revenue Fund of the State of Texas.

(d) In the conduct of any administrative hearing held pursuant to this Act, the Commissioner may administer oaths to witnesses, receive evidence, and issue subpoenas and subpoenas duces tecum to compel the attendance of witnesses and the production of papers and documents related to matter under investigation. Administrative hearings shall be held in conformity with the Administrative Procedure and Texas Register Act, Article 6252-13a, V.T.C.S.

Section 5. JUDICIAL REVIEW.

(a) Any party to the hearing aggrieved by the decision or order of the Commissioner may secure judicial review thereof in the following manner:

(1) The petition must be filed in a district court of Travis County, Texas, within 30 days after the decision or order of the Commissioner becomes final.

(2) The filing of a petition for review shall not itself stay the effect of the decision or order complained of, but the Commissioner or the reviewing court may order a stay upon appropriate terms and if a stay is so granted no supersedeas bond shall be required.

(3) Service of process: the petition for review shall be served on the Commissioner in respect to the matter for which review is sought. After service of such petition upon the Commissioner and within the time permitted for filing an answer, or as soon thereafter as the record is made available to the Commissioner, the Commissioner shall certify to the district court in which such petition is filed the record of the proceedings to which the petition refers. The cost of preparing and certifying such record shall be paid to the Commissioner by the petitioner and taxed as part of the cost in the case, to be paid as directed by the court upon final determination of said cause.

(4) The review of any decision or order of the Commissioner shall be tried by the Court without a jury in the same manner as civil actions generally, but no evidence shall be admissible which was not adduced at the hearing on the matter before the Commissioner or officially noticed in record of such hearing.

(5) The burden of proof shall be on the plaintiff. The reviewing court may affirm the action complained of or remand the matter to the Commissioner for further proceedings.

(6) Appeals from any final judgement may be taken by either party in the manner provided for in civil actions generally, but no appeal bond shall be required of the Commissioner.

Section 6. Penalties.

(a) A person who violates a provision of this Act or any rule or regulation of the Department commits a Class A misdemeanor.

(b) Any person who violates any provision of this Act or the rules and regulations of the Department may be assessed a civil penalty to be paid to the State of Texas in an amount not to exceed $1,000.00 for each such violation as the court may deem proper.

(c) Whenever it appears that any person has violated or is threatening to violate any of the provisions of this Act or of the rules and regulations of the Department, either the Attorney General or the Department may cause a civil suit to be instituted either for injuctive relief to restrain such person from continuing the violation or threat of violation or for assessment and recovery of the civil penalty or for both. Venue for such suit shall be in the district courts of Travis County, Texas.

Section 7. AMATEUR ATHLETIC EVENTS.

(a) The promoting conducting, or maintaining of boxing and wrestling matches, contests, or exhibitions when conducted by educational institutions, Texas National Guard Units, or amateur athletic organizations duly recognized by the Commissioner shall be exempt from the licensing and bonding providions of this Act provided that none of the participants in such contests or exhibitions receive a money remuneration, purse or prize for their performance or services therein.

(b) None of the licensing and bonding provisions of this Act shall apply to or be enforced against:

(1) All nonprofit amateur athletic associations chartered under the laws of the State of Texas including their affiliated membership clubs throughout the State which have been recognized by the Commissioner;

(2) Any contests, matches, or exhibitions between students of educational institutions which are conducted by a college, school or university as part of the institution's athletic program;

(3) Contests, matches or exhibitions between members of any troop, battery, company or units of the Texas National Guard.

(c) When an admission fee is charged by any person conducting or sponsoring an amateur boxing or wrestling contest, match or exhibition, except those amateur events exempted in Section 7 (b) herein, the gross receipts tax hereinafter provided in Section 11 of this Act shall apply and must be paid by the sponsoring person. In addition, amateur boxing or wrestling contests wherein an admission fee is charged shall be conducted under the following conditions:

(1) The Commissioner must approve the contest, match, or exhibition at least seven (7) days in advance of the event;

(2) All entries shall be filed with the amateur organization at least three (3) days in advance of the event;

(3) The amateur organization shall determine the amateur standing of all contestants;

(4) The amateur contest, match or exhibition shall be subject to the supervision of the Commissioner and all profits derived from such contests shall be used in the development of amateur athletics;

(5) Only referees and judges licensed by the Commissioner may participate in amateur contests, matches or exhibitions;

(6) All contestants shall be examined by a licensed physician within a reasonable time prior to the event, and a licensed physician shall be in attendance at the ringside during the entire event;

(7) All professional boxers and wrestlers licensed under this Act are prohibited from participating in any capacity during an amateur contest, match, or exhibition.

Section 8. PROMOTERS.

(a) No person shall act as a promoter of either boxing or wrestling until he has been licensed pursuant to this Act.

(b) The application for a promoter's license shall be made upon a form furnished by the Commissioner and shall be accompanied by an annual license fee and the license or registration fee shall be Twenty Dollars($20) for Boxing Promoter's License and Twenty Dollars ($20) for Wrestling Promoter's License in a city with a population not exceeding ten thousand (10,000); Fifty Dollars ($50) in cities with a population of ten thousand and one (10,001) to twenty-five thousand (25,000), inclusive; One Hundred Dollars ($100) in cities with a population of twenty five thousand and one (25,001) to one hundred thousand (100,000), inclusive; Two Hundred Dollars ($200) in cities with a population of one hundred thousand and one (100,001) to two hundred and fifty thousand (250,000), inclusive; and Three Hundred Dollars ($300) in a city above two hundred and fifty thousand and one (250,001) inhabitants. The application for a promoter's license shall be accompanied by a surety bond subject to the approval of the Commissioner and conditioned for the payment of the tax hereby imposed. The Commissioner shall fix the sum of the surety bond, but the sum may not be less than $300.

(c) The surety bond shall be issued by a company authorized to do business in Texas and shall be in conformity with the Insurance Code.

(d) The surety bond shall be to the State for the use by the State, or any political subdivision thereof, who establishes liability against a promoter for damages, penalties, taxes or expenses resulting from promotional activities conducted within the State of Texas.

(e) The bond shall be open to successive claims up to the amount of face value and a new bond must be filed each year. The bonding company is required to provide written notification to the Department at least thirty (30) days prior to the cancellation of the bond.

Section 9. OTHER REQUIRED LICENSES.

(a) No person shall act as a professional boxer or wrestler, manager of a professional boxer or wrestler, referee, judge, second, or timekeeper or matchmaker until he has been licensed pursuant to this Act.

(b) The application for a license shall be made upon a form furnished by the Commissioner and shall be accompanied by an annual license fee as follows:

(1)	Boxer	Ten Dollars ($10.00)
(2)	Wrestler	Ten Dollars ($10.00)
(3)	Manager	Fifty Dollars ($50.00)
(4)	Matchmaker	Fifty Dollars ($50.00)
(5)	Judge	Fifteen Dollars ($15.00)
(6)	Referee	Fifteen Dollars ($15.00)
(7)	Second	Five Dollars ($5.00)
(8)	Timekeeper	Five Dollars ($5.00)

(c) Revenue obtained from license fees shall be deposited to the credit of the General Revenue Fund.

Section 10. LICENSE QUALIFICATIONS.

(a) The Commissioner is authorized to promulgate rules and regulations setting forth reasonable qualifications for applicants seeking licenses as a promoter, manager, matchmaker, professional boxer or wrestler, judge, referee, second or timekeeper.

(b) The Commissioner may, after investigation and hearing, deny an application for a license when the applicant has failed to meet the established qualifications or has violated any provisions of this Act or any rule or regulations issued pursuant to this Act.

Section 11. GROSS RECEIPTS TAX.

(a) Any person who conducts a boxing or wrestling match, contest, or exhibition wherein an admission fee is charged shall furnish to the Department within seventy-two (72) hours after the termination of the event a duly verified report on a form furnished by the Department showing the number of tickets sold, prices charged and amount of gross receipts obtained from the event. A cashier's check or money order made payable to the State of Texas in the amount of three per cent (3%) of the total gross receipts of the event shall be attached to the verified report.

(b) Any person who charges an admission fee for exhibiting a simultaneous telecast of any live, spontaneous, or current boxing or wrestling match, contest, or exhibition on a closed circuit telecast must possess a promoter's license issued pursuant to this Act and obtain a permit for each closed circuit telecast show in Texas. The three per cent (3%) gross receipts tax described in Section 11 (a) herein is applicable to said telecast and the promoter shall furnish to the Department within seventy-two (72) hours after the event a duly verified report on a form furnished by the Department showing the number of tickets sold, prices charged, and amount of gross receipts obtained from the event. A cashier's check or money order made payable to the State of Texas in the amount of three per cent (3%) of the total gross receipts of the event shall be attached to the verified report.

(c) Revenue obtained by the Department from the three per cent (3%) gross receipts tax shall be deposited to the credit of the General Revenue Fund.

(d) The Admissions Tax provided in Chapter 21, Taxation General, V.T.C.S. shall not be applicable to said telecast.

Section 12. The Department of Public Safety shall, upon request, supply to the Texas Department of Labor and Standards any available arrest and conviction records of individuals applying for or holding any license under this Act.

Section 13. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each house be suspended and this rule is hereby suspended.

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Sec. 61.1. Applications and Licensing.

(a) License required. Before a person may perform at a contest or exhibition as a boxer, promoter, manager, referee, second, judge, timekeeper, or matchmaker, he must be licensed by the Texas Department of Labor and Standards.

(b) Temporary licenses. Notwithstanding subsection (a) of this section, all applicants, except promoters, who have completed all licensing requirements may be issued a temporary license permitting said holders to participate in boxing contests or exhibitions until such time as an annual license is issued or denied.

(c) Term of Temporary license. Temporary licenses shall be valid for no more than 30 days from the date of issue.

(d) License in possesion. All licensees, except promoters, shall keep their licenses in their possession and shall present said license upon request to promoters and representatives of the Texas Department of Labor and Standards as evidence of eligibility to act or perform in their respective capacities in connection with boxing contests or exhibitions.

(e) License application requirements.

(1) All applicants for licenses, except promoters, must submit an application, two recent passport photos, and a license fee.

(2) Requirements for boxer applicants.

(A) No one under the age of 17 will be issued a license. Minors over the age of 16 applying for a boxer's license must submit written consent from parent or guardian. No boxer over the age of 35 will be issued a license without a hearing by the department. Before any license is issued to any boxer over the age of 35, the department may require physical testing including, but not limited to cat scan, eeg, ekg and stress tests.

(B) Anyone who applies for a boxer's license and has no recent or previous significant professional or amateur boxing experience will be required to show proof of proper training and must appear to be physically competent as a boxer. Physical competence may include but is not limited to competence in the elements of offense, defense, clean hitting, ring generalship, and physical capability of boxing at least four three-minute rounds. A boxer without previous ring experience will be required to furnish to the department written certification from his manager or trainer outlining his training routine for 4 weeks prior to fight date.

(C) Boxer applicants must submit medical reports required by section 61.5 of this title as well as any other certification as is required by the department. The manager, as well as the boxer, will be responsible for medical and boxing records of each boxer that the manager manages.

(D) All boxer license requirements must be met prior to the appearance of a boxer in a contest.

(3) Requirements for promoter applicants.

(A) Each promoter applicant must submit, in addition to an application form provided by the department:

(i) five letters of recommendation;

(ii) a financial statement that has been certified by either a certified public accountant or a bank;

(iii) a surety bond on a form provided by the department which has been completed by a surety company;

(iv) if licensed as a manager, his manager's license for cancellation.

(B) Promoters must show that they have the financial ability to pay the taxes, purses, arena rental, personnel, advertising, and other expenses. Financial responsibility may be shown by a financial statement as required by subparagraph (A)(ii) of this paragraph or an additional performance bond guaranteeing payment of all obligations relating to the promotional activity.

(C) The amount of the promoter's license fee and the minimum surety bond shall be determined by the population of the city for which it is granted. If the commissioner determines that it is necessary to guarantee financial responsibility, then an additional performance bond guaranteeing payment of all obligations may be submitted. All bonds must remain in effect for four years after the effective date of cancellation.

Population	Fee	Minimum Bond
10,000	$ 20.00	$ 300.00
10,001-25,000	50.00	300.00
25,001-100,000	100.00	500.00
100,001-250,000	200.00	1,000.00
250,001-Up	300.00	2,000.00

(D) A promoter's license is valid only within the incorporated limits of the city for which it is granted, but a promoter may apply for a license in each city in which he desires to operate. If the promotion should occur in a non-incorporated area, the size of the nearest incorporated city shall determine the license fee. No promoter shall hold a boxing contest in any city other than that city on his license.

(E) Any person applying for a promoter's license, except for renewals, must appear in person in the office of the Commissioner of the Texas Department of Labor and Standards in Austin, Texas.

(f) Managers. A licensed manager may act as a second without a second's license.

(g) Matchmakers.

(1) Any person who is not a promoter and who arranges matches for a contest must be licensed as a matchmaker.

(2) No matchmaker shall hold a manager's license or manage a

boxer either directly or indirectly.

(h) Referees and judges. Referees and judges will be required to take written examinations, physical examinations, and/or attend seminars and shall hold an active cpr card.

61.2. Contracts.

(a) Contracts between boxers and managers.

(1) Only a contestant's personal manager shall be financially interested in a contestant.

(2) Copies of all contracts entered into between managers and boxers must be filed with the department for approval. All contracts between managers and boxers which are executed in Texas must be on a form provided by the department. All boxers who have out of state contracts with their managers must execute a modification extension of the original contract on a form provided by the department for boxing matches, contests and exhibitions in Texas. Such contracts and contract modification extensions for boxing in Texas shall provide:

(A) After the deduction of training and transportation expenses actually incurred by the boxer in the performance of his duties, no manager or group of managers shall be allowed to participate, directly or indirectly, in more than 33 1/3% of the gross earnings of the boxer.

(B) The Commissioner must give written approval before the assignment of any part or parts of the boxer's or manager's interest in a contract, which has been previously filed and approved by the commissioner.

(C) No contract shall be approved between a boxer and a manager for a period exceeding five years.

(3) A contract between a boxer and manager will not be approved and recognized unless both parties appear at the same time before an authorized representative of the department and execute the contract on a form provided by the department.

(4) Boxer-manager identification cards will be issued upon approval of the boxer-manager contract.

(5) When a manager is not present at the contest where his boxer is performing, before said boxer may lawfully contract for his own services, it shall be necessary that the boxer:

(A) Present written authorization from his manager to sign the contract for the fight;

(B) Present written authorization from his manager to receive the purse.

(6) In case managerial authority is temporarily transferred to another person acting as manager, the acting manager shall:

(A) Hold a valid manager's license;

(B) Present a written agreement, signed by both the boxer and the existing manager;

(C) File a copy of such written agreement of transfer of authority with the department for approval.

(7) Managers are prohibited from signing a fight contract for the appearance of any boxer when the manager does not have a written contract on file with the Department of Labor and Standards for said boxer.

(8) No two boxers under contract to the same manager may be matched against each other unless there are unusual circumstances and the commissioner has given written approval.

(9) Manager shall send written notification to the Department of Labor and Standards immediately upon the termination of a contract with a boxer.

(10) No manager shall be allowed to contract for the services of a boxer under his management for a match to take place on a date after the expiration of the contract between the boxer and manager.

(b) Contracts between promoters and boxers.

(1) Promoters shall be required to have written agreements or contracts, executed in triplicate, with the boxers that show the amount of guarantee or percentage promised, the number and time limit of rounds, when and where the boxers are scheduled to appear, weight, and all other details governing contracts and agreements. Standard forms will be furnished by the Texas Department of Labor and Standards.

(2) The promoter shall furnish one copy of the contract to the boxer or his manager, shall retain one copy, and shall forward one copy to the department with tax reports on the contests held.

(3) Contracts must be available for examination and approval by the inspectors of the Texas Department of Labor and Standards prior to weigh-in.

(c) Boxer responsibilities. Boxers must live up to the terms of their contracts. Whenever a contestant fails to appear in accordance with his contract, said contestant must be prepared to satisfactorily prove that he was sick, had a valid reason for not appearing, or was otherwise prevented from carrying out the agreement. A doctor's certificate shall be required in case of illness and affidavits are required to support other circumstances.

Sec. 61.3. Tickets.

(a) Printing tickets.

(1) All advance sale tickets shall have the price, the name of the promoter, and the date of the contest printed plainly on each half.

(2) Roll tickets with consecutive numbers may be sold only at the box office on the day of the show. They shall be for unreserved seats of the same price.

(3) Complimentary tickets shall be clearly marked so that the stubs can be identified.

(4) Tickets of different prices must be printed on different colored ticket stock.

(5) If a promoter is using a computerized and bonded ticket service then paragraphs 2 and 4 of this section may be waived by the commissioner.

(b) Ticket inventory. Upon receipt of tickets from the printer, the promoter shall be required to submit to the department a sworn inventory of all tickets delivered to any outlet. This inventory shall account for any known overprints, changes, complimentary tickets, or extras.

(c) Seating capacity. No tickets shall be sold for more than the actual capacity of the place where the contest is being held.

(d) Tickets prices. Licensed promoters are prohibited from selling tickets for any price other than the price printed thereon, from changing the price of tickets at any time after tickets have been placed on sale, or from selling any ticket at any time during the show at a lesser price than tickets for the same seats were sold or offered before the show. Requests for changes in ticket prices or dates of shows must be submitted in writing to the Texas Department of Labor and Standards for approval.

(e) Tickets. All tickets must be torn and half returned to the ticket holder at the entrance gate. Under no circumstance shall anyone be passed through the gate without having their ticket torn or be allowed to occupy a seat unless in possession of a ticket half.

(f) Exchanges. A purchaser may present their ticket half to the promoter for a refund at face value if the advertised main event or special added attraction is postponed or does not take place as advertised. No tickets shall be refunded after the show has taken place. Tickets in the hands of agencies must be returned to the promoter not later than twelve hours after the show has started.

(g) Accounting for tickets.

(1) Representatives of the department will check the numbers and location of ticket containers at gates, and the containers for seals and padlocks. After the show, tickets shall be accounted for and a department representative may review the accounting.

(2) Tickets of every description used for any boxing match or exhibition must be held after the contest by promoters at least 30 days. These tickets may be destroyed after 30 days or delivered to the department, if requested. Said tickets must be kept in separate packages for each show in order that an audit can be made by the department.

Sec. 61.4 Ring and Equipment.

(a) The Ring. The ring must be a square and not less than 18 feet nor more than 24 feet on a side within the ropes and the ring floor must extend beyond the ropes at least 24 inches on all sides. The ring floor shall be of at least 3/4 inch material and shall be adequately supported and padded with a fine closed cell foam with 2 pound density 1 inch thick with a compression factor 25% will yield 6 pounds density. It must maintain these characteristics in temperature range of 150° to 0°F. Any variance to this must be approved in writing by the Commissioner of the Texas Department of Labor and Standards. The padding shall extend over the edge of the ring platform with a top covering of canvas, duck or similar material approved by the Commissioner or his authorized representative, tightly stretched and laced to the ring platform. Material that tends to gather in lumps may not be used. The mat and coverings shall be kept clean and free from disagreeable odors at all times. The corners must be protected inside the ring with urethane pad at least six inches wide and covered with material similar to the ring floor material long enough to cover all the rope joints. The urethane shall have a 3 pound density. The ring platform shall not be more than 54 inches above the floor of the building, and shall be provided with at least three sets of steps into the ring during a contest. One set for each boxer's corner and one set in the neutral corner on the department side. These will be used for the ringside physician and the department. Ring posts shall be made of some strong material, preferably steel, at least three inches in diameter, extending from the floor of the building to a height of at least 58 inches above the ring floor.

(b) Ring ropes. Ring ropes shall be four in number, at least one inch in diameter, the lower rope 18 inches above the ring floor, the top rope 52 inches above the ring floor and the two others will be evenly spaced. The ropes shall be reinforced by a nonabrasive rope on each side in the center of the ropes. The ropes shall attach to the ring posts with turnbuckles. The ropes shall be taut and firm during all contests. The bottom rope shall be padded with soft material.

(c) Gong. The gong shall be approved by the department representative and shall be of sufficient size to enable both contestants and the referee to hear it.

(d) Ring equipment. The promoter shall furnish two funnels with a hose and bucket attached to each funnel. These must be used by the contestants when washing out their mouths and it will be the trainer or manager's responsibility to see that they do so. The promoter shall provide a sufficient number of water buckets for the use of all contestants. Each bucket shall be sterilized before being used. Promoters also shall provide resin, stools, and other such articles as are required for the conduct of contests. Excess use of water by a corner on a fighter will result in one warning by the commission, violation after that will result in disciplinary action on the manager. The corners will be kept clean, dry and free from objects. The ring must be set up at least 2 hours prior to fight time, regardless of TV or any other commitments.

(e) Scales. Scales shall be furnished by the promoter. The department may require that the scales be certified.

(f) Glove weight. Contestants in all weight categories up to and including welterweights shall use 8 ounce gloves. In heavier classes 8 or 10 ounce gloves may be worn.

(g) Bandages. Contestants may use six inches of medical diachylon tape, one inch in width across the back of each hand before bandaging the hands. Such tape can not be put across the knuckles. Bandages shall be of soft surgical bandage not more than 10 yards long or two inches in width, held in place by not more than six feet of 1 inch medical diachylon tape for each hand. These bandages shall be adjusted in the dressing room no sooner than 45 minutes before fight time under the examination of a representative from the Texas Department of Labor and Standards and in the presence of a representative of both contestants. Hands shall be wrapped dry, and no liquid may be applied to any bandage. If any other material or substance is used on the hands of the boxer other than that mentioned in this paragraph, the boxer and manager shall face disciplinary action by the department. Only the above described tape and gauze furnished by the department will be allowed.

(h) Gloves. No gloves will be used unless approved by the Texas Department of Labor and Standards. The department shall set certain minimum standards for all gloves used in contests in the State of Texas. Gloves shall be examined and approved by the referee and the representative of the Texas Department of Labor and Standards prior to the start of the matches. All gloves will be laced with the knot on the back of the wrist. The promoter shall furnish new gloves for all main events.

(i) Ring apron. The ring apron shall be kept clear at all times, this includes articles such as cameras, microphones, advertisements, etc.

(j) Ring apron seats. No seats may be sold at the ring apron.

(k) Barrier. There should be a barrier between the ringside and first row seats.

(l) Ringside physicians. The ringside physicians shall have an unobstructed view of the ring at all times.

(m) Emergency equipment. There shall be a resuscitator with written instructions and stretcher at ring side for all contests and it is the promoter's responsibility to insure compliance.

(n) Seats for judges and physician. The judges shall be furnished chairs high enough that their shoulders shall be even with the ring floor. Similar height may be required by the ringside physician.

Sec. 61.5. Safety.

(a) Medical staff. Qualified medical doctor(s) shall be named as the medical consultant(s) for the Texas Department of Labor and Standards and the commissioner may appoint any additional personnel necessary. All appointed medical consultant(s) will serve at the pleasure of the commissioner.

(1) The medical consultant(s), when required by the department shall be paid actual traveling and per diem expenses incurred while performing official duties.

(2) Duties of the medical consultants(s) are:

(A) Act as medical consultant(s) to the Department of Labor and Standard;

(B) Attend and participate in boxing seminars;

(C) Recruit and train ring-side physicians;

(D) Update and write safety policies;

(E) Shall attend hearings if needed;

(F) Develop safety bulletins for the department;

(G) Obtain specialty consultation for the department when needed; and

(H) Represent Texas in national and international boxing seminars and meetings.

(3) When performing medical duties for the state the medical consultant(s) shall have the authority as vested by the Commissioner of the Department of Labor and Standards.

(b) Consultant neurologist. The Commissioner, with the advice of the medical consultant(s), may appoint a neurologist to act as a consultant for the Department of Labor and Standards.

(c) Ringside physicians. The department in consultation with the medical consultant(s), shall appoint qualified physicians throughout the state to serve as ringside physicians, and their duties are:

(1) Serve as ring-side physicians in their area;

(2) Perform annual and comprehensive medical examinations;

(3) Solve medical problems in their area;

(4) Recruit other physicians for boxing;

(5) Participate in seminars around the state;

(6) Attend ongoing education by the department; and

(7) When performing the duties of a ringside physician, that physician shall be considered to be acting on behalf of the Texas Department of Labor and Standards and shall have such authority as vested by the Commissioner.

(d) Medical examination forms. There shall be medical forms supplied by the Department of Labor and Standards, and these can be obtained from the local ringside physician, the medical consultant(s), area Department of Labor and Standards Offices, or the department office in Austin, Texas.

(1) Comprehensive Medical Form (TDLSME 1). This examination is in two parts, medical and boxing history and physical. It shall be given by only department appointed medical examiners. All applicants for a boxing license in Texas must have passed this medical examination before applying for a boxing license in Texas.

(2) Annual Renewal Medical Form (TDLSME 2). This examination shall only be given by a department appointed medical examiner, and must be

completed and passed before renewal of boxer's license annually.

(3) Weigh-in Medical Form (TDLSME 3). This examination will be given at time of weigh-in and forms will be funished by the department.

(4) Post-bout Injury and Recommendation Form (TDLSME 4). This examination will be given by the ringside physician. This form will be in triplicate. The form contains ringside physicians physical recommendations, suspension time, and referee recommendations. It is the responsibility of the boxer and manager to obtain a copy of this form before leaving the arena and it is also their joint responsibility to comply with all recommendations before his boxer may compete again.

(5) Ophthalmologist Medical Form (TDLSME 5). These forms may be obtained from the commission offices. All applicants for a boxer's license shall be examined by an ophthalmologist before he is given a comprehensive medical examination. Any boxer renewing his license shall be examined by an ophthalmologist before he is given his annual physical.

(e) Medical examinations:

(1) Comprehensive medical examination. All applicants for a boxer's license must pass a comprehensive medical examination as well as an ophthalmologist's examination prior to a contest. These examinations will be given only by commission approved physicians. A list of physicians will be furnished by the commission. Out of state boxers may obtain TDLSME 1 and have it completed by an out of state physician approved by the department. Laboratory data such as cat scan, eeg, ekg's may be required by the examining physician if he so indicates. Compliance to this regulation is the responsibility of the boxer and manager jointly. In the event a boxer who is applying for a license is licensed by another state whose medical requirement is at least equal to the state of Texas, the pre-licensing medical requirements may not be required if written proof is furnished.

(2) Annual renewal examination. Any boxer's renewal apllication must be accompanied by a renewal medical exam. The boxer and manager should expect certain laboratory expense based on certain conditions such as won/lost record, number of TKO's, age, etc. Such laboratory requests may be required by the examining physician. This medical examination should be submitted at least 14 days prior to renewal date and compliance is the responsibility of the boxer and manager jointly.

(3) Eye examination. All applicants for a boxer's license in Texas must submit a complete medical eye exam (TDLSME 5) by an ophthalmologist. Any boxer renewing a license must also submit a complete eye examination annually.

(4) Weigh-in physical examination. The pre-fight medical examinations will be given at the time of the weigh-in.

(A) The manager or his authorized agent shall accompany the boxer to weigh-in.

(B) The boxer's manager or agent shall be at any rules meeting preceding the physicals.

(C) The medical and boxing history on the physical exam form will be completed before a boxer is examined. Such information will be attested to by both boxer and manager, falsification of form will result in disqualification, suspension or fine of both boxer and manager.

(D) If a boxer is late to weigh-in disciplinary action may result to both the boxer and the manager.

(E) If a boxer appears at the weigh-in, and his body weight is 5% or more over his contracted weight he will be disqualified for the bout, and his manager may receive disciplinary action by the Department.

(F) Only the boxer and his manager will be allowed in the examination room while the physical is given.

(G) If in an attempt to make weight, the boxer shows evidence of dehydration, having taken diuretics or other drugs, or used any other harsh modality, the examining physician can disqualify and recommend disciplinary action by the department.

(H) If a boxer has engaged in a contest in Texas previously, his post bout injury form must be presented to the department. If he has fought out of the state of Texas, and that state has pass books, they shall be presented to the department.

(I) The boxer and manager will make full disclosure of all information required by the department and conduct themselves in a professional manner at all times.

(5) Post-bout medical exams. At the conclusion of a contest, the ringside physician and commission will issue to the boxer or the boxer's manager a post-bout medical and recommendation form. The boxer or manager must obtain such form and comply to recommendations, and present such form at next weigh-ins. A boxer will automatically be disqualified from competition if he/she is:

(A) Cut - Up to 6 weeks depending on severity.

(B) TKOH - A minimum of 30 days.

(C) TKOB - A minimum of 14 days.

(D) KO - When accuring within a 12 month period, after first KO, there shall be a 60 day suspension, after second KO, there shall be a 120 day suspension. After the third KO, a cat scan, ekg or other medical testing may be required before the boxer is allowed to enter any further contests.

(E) Underconditioned fighter - 6 weeks.

(F) Any other contest shall result in a mandatory rest period for each round or portion of a round fought if the contest lasts: (1) from one to two rounds seven days; (2) from three to six rounds fourteen days; (3) from seven to nine rounds twenty-one days; and (4) for ten or more rounds thirty days. The rest period shall begin at 12:01 a.m. of the day following the contest. The ringside physician, notwithstanding the mandatory rest periods prescribed in this subsection, may recommend, which recommendation must be in writing and filed with the department, a longer rest period if in the medical opinion of the ringside physician a contestant has fought a hard contest and a longer rest period is necessary for the contestants or a contestant.

(G) If a boxer exhibits any neurological symptoms as a result of a blow during any contest the ringside physican can request neurological testing and consultation before that boxer is allowed to spar or compete in any further contest.

(H) If a boxer disagrees with the medical disqualification he/she may request a hearing to show proof of fitness. Said hearing shall be provided within 14 days after the department receives a written request from the boxer or his manager.

(6) Medical disqualification. Medical disqualification of a boxer is for his own safety and may be made at the discretion of the examining physicicn or the department after a hearing.

(A) General.

(i) Any boxer who has lost six consecutive bouts.

(ii) Any boxer who has sustained 3 consecutive knock-outs.

(iii) Body deformity (arms, legs, obesity, etc.) that would tend to promote injury.

(B) Neurological.

(i) A boxer who has sustained a knock-out within the past 60 days.

(ii) A boxer who has sustained a TKO within the past 30 days.

(iii) Any boxer who has comparative change in cat scan or eeg.

(iv) Epilepsy or convulsive disorder.

(v) Previous cervical disc or brain surgery.

(vi) Ataxia, spastic, or cerebellar gaits.

(vii) History of cerebral hemorrhage, repeated concussions, or serious head injury.

(viii) Intracerebral aneurysms.

(ix) Labyrinthine disturbances.

(x) Laminectomy for tumor or ruptured disc.

(xi) Vascular malformations.

(C) Eye.

- (i) Visual acuity of less than 20/100.
- (ii) Retinal detachment (repaired or unrepaired).
- (iii) The presence of only one eye or useful vision in only one eye.
- (iv) Congential glaucoma.
- (v) Recent periorbital lacerations.
- (vi) Severe myopia.

(D) Respiratory.

- (i) Active tuberculosis.
- (ii) Chronic obstructive lung disease (active).
- (iii) Asthma precipitated by exertion.
- (iv) Absence of one lung.

(E) Abdomen.

- (i) Any hernia.
- (ii) Enlarged liver.
- (iii) Enlarged spleen.
- (iv) Undescended testes.

(F) Cardiovascular.

- (i) Heart disease.
  - (I) Absolute disqualifications.
    - (-a-) Aortic stenosis or regurgitation.
    - (-b-) Mitral stenosis or significant regurgitation.
    - (-c-) Cyanotic congential heart disease.
    - (-d-) Aortic coarctation, unoperated.
    - (-e-) Ebstein's anomaly.
    - (-f-) Pulmonary venous obstruction.
    - (-g-) Cardiomyopathy or active myocorditis.
    - (-h-) Prosthetic heart valves.
    - (-i-) Congenital complete heart block.
  - (II) Allowed with cardiologist report.
    - (-a-) Paroxysmal atrial tachycardia.
    - (-b--) Premature ventricular contraction.
    - (-c-) Post repair of aortice coarctation.

(-d-) Mild mitral regurgitation
(-e-) Mild pulmonary stenosis.

(ii) Hypertension (150/90 on 3 or more occasions). A boxer is allowed to participate with diagnosis of essential hypertension if:

(I) Controlled with diet and salt.

(II) Controlled with thiazide drugs.

(G) Genitourinary.
(i) Absence of one kidney.
(ii) Acute or chronic kidney disease.
(iii) Active venereal disease.
(iv) One testicle (relative contraindication).

(H) Musculoskeletal.

(i) Absolute contraindications.

(I) Navicular fractures.
(II) Apondylolisthesis and spondylolysis (only if there is back pain).
(III) Hip disease (leg perthes, slipped eppiphysis, septic arthritis, chronic osteomyelitis).
(IV) Active epiphysitis of spine.
(V) Spina bifida occulta.
(ii) Relative contraindications.
(I) Joint instability.
(II) Recurrent disolation of shoulder.
(III) Tendency to develop myosistis ossifficans.
(IV) Metabolic bone disease.
(V) "Long" neck.

(I) Other.
(i) Diabetes if under poor control.
(ii) Bleeding dyscrasias.
(iii) Active staph skin infection.
(iv) Alcohol addiction.
(v) Drug addiction.
(vi) Poorly conditioned.
(vii) Mononeucleosis - contraindicated until spleen returns to normal size and liver enzymes normal.
(viii) Hepatitis - contraindicated until liver enzymes return to normal.

(J) Unfit for competition. Should a boxer's examination show that he is unfit for competition because of any weakness or disability discovered by the physician, the boxer may not participate in a match and an immediate report of the facts must be made to the promoter and the Commissioner of the Texas Department of Labor and Standards.

(K) Illness or injury. Whenever a boxer, because of injuries or illness is unable to take part in a contest for which he is under contract, he or his manager must immediately report the fact to the promoter and to the Department of Labor and Standards.

(L) Medical suspensions by other states. Medical suspensions by other states may be recognized and honored by the department.

(M) Reports of out of state contests. Any resident boxer licensed by the department who participates in a boxing match or contest outside the State of Texas shall report the results to the department within 72 hours of returning to the State of Texas.

(N) Drugs prohibited. The administratior or use of any drugs, alcohol, stimulants, or injections in any part of the contestant's body either prior to or during a match is prohibited unless administered by a physician with the approval of the department. The department may order drug screens at anytime at the expense of the boxer. If a drug screen is required it shall be the responsibility of the boxer or his manager to pay for it.

(O) Referees shall be required to pass a pre-fight physical by the ring physician.

(P) CPR.

(i) All managers and trainers who own or operate training gyms shall complete a CPR course.

(ii) Seconds and handlers should be encouraged to complete such training.

(Q) Ringside and other emergency equipment

(i) Resuscitator with instructions, stretcher and oxygen shall be present at ringside before the start of each contest, and the obligation to furnish such equipment is that of the promoter.

(ii) An ambulance will be available within 5 minutes of where the contest is to be held if so directed by the department.

(iii) There must be a pre-fight plan and route to remove an injured fighter from the ring and arena. The promoter shall inform the department of such plans. This includes local hospital emergency room. No contest shall begin without a ringside physician in his assigned position.

(S) Head injury. When a boxer suffers a knock out, concussion, or other serious head injury, he should be examined immediately by the ring physician. The physician shall report to the commissioner on the severity of the injury.

(T) Promoters safety responsibility. It shall be the promoters responsibility to insure safety for the boxers, officials, and fans.

(i) Security shall be sufficient to maintain order.

(ii) The boxer and/or his manager shall provide insurance cover medical, surgical, and hospital care with a minimum limit of $10,000 for injuries sustained while participating in a boxing contest and for $10,000 to the estate of any boxer should death occur from injuries received while participating in a boxing contest. The premuim for the insurance shall be deducted from the boxer's purse.

(iii) The promoter shall follow all safety standards required by the department.

(iv) The promoter will provide a ring that passes certification by the department.

(v) The promoter shall compensate the ringside physician.

(vi) He shall, if possible, provide a private dressing room for the officials.

(vii) He shall provide a private area for weigh-in examinations.

(U) Between round care. The following will be strictly enforced by the department.

(i) Only one person will be allowed in the ring with the boxer between rounds and two people on the apron.

(ii) The only substances and materials allowed in the corner are:

(I) Ice
(II) Water
(III) Cotton swabs
(IV) Gauze pads
(V) Clean towels
(VI) Adrenalin 1:1000
(VII) Vaseline or surgical lubricant approved by department
(VIII) Medical Diachylon Tape
(IX) Enswell
(X) Any variance to A-I must be requested in writing to the department after consultation with the medical consultant.

(iii) Substances such as monsell's solution, other iron or bismuth compounds, collodion, silver nitrate, ammonia or smelling salts, will not be used and the use of such modalities will result in disqualification suspension or fine of the boxer, manager and/or trainer.

(iv) The use of excessive lubricant on the body, arms, or face of a boxer will not be tolerated.

(v) Only water will be permitted for dehydration of a boxer between rounds. Honey, electrolyte solutions, glucose, sugar, or any other substance mixed with water is prohibited.

(vi) When the ringside physician enters a boxer's corner, the second in the ring will yield to the physician's examination. The department may disqualify a boxer, manager and/or trainer for fnprofessional conduct in failing to cooperate with the ringside physician.

(V) Physical disqualification of fighter. Should a fighter be disqualified during a pre-fight physical examination, the physician shall notify the department immediately.

(W) Seminars. The department shall require periodic seminars for referees, judges, trainers, ringside physicians and any other person licensed by the department and the department shall require attendance at such seminar(s) as a prerequisite to the issuance or renewal of any license issued by the department.

(X) Termination Contests. The referee or ringside physician, acting by and through the referee, may terminate any contest where there is any reason to believe that a continuation of the contest may result in serious injury to either boxer.

(Y) Rules Meeting. The department shall conduct a rules meeting before each contest.

Sec. 61.6. Conduct of Promotion.

(a) Providing a physician. It shall be the responsibility of the promoter to secure the attendance of a physician approved by the department at ringside during the contest. The physician must show evidence of competency to deal with the type of emergencies that may arise during a bout. The physician must have all necessary emergency equipment at the contest.

(b) Contests between sexes. No promoter, matchmaker, or any other person shall arrange, match, or advertise any boxing contest between persons of the opposite sex.

(c) Drinks. No promoter shall promote in any arena where concessionaires dispense beverages in containers other than plastic or paper cups.

(d) Ring name. A boxer shall not fight under any name which does not appear on his boxing license.

(e) Dressing Rooms. The only people allowed in the boxer's dressing room are the boxer, manager, second, press, a representative of the Texas Department of Labor and Standards.

(f) Matchmakers.

(1) Matches shall be made only by a licensed promoter or licensed matchmaker.

(2) Promoters shall file with the department the following information relating to any individuals serving him or his organization in the capacity of matchmaker:

(A) name of matchmaker;

(B) Notification to the commissioner if the promoter's arrangement with the matchmaker changes.

(3) If a matchmaker is employed by a licensed promoter the matchmaker and the promoter shall be jointly responsible to the commissioner for matches made and for the mailing in of contracts, applications, license fees, and taxes to the commissioner's office.

(g) Rounds scheduled.

(1) Licensed promoters shall schedule no less than 25 and no more than 60 rounds of boxing on one program. An emergency bout must be provided in case any of the scheduled bouts are not provided.

(2) All contests or exhibitions in professional boxing will be required to have 3 minute rounds with 1 minute rest periods between rounds. No exceptions will be made to this rule without the written permission of the Commissioner of the Texas Department of Labor and Standards.

(3) No boxing or sparring contest or exhibition shall be permitted for more than 10 rounds duration, except in a championship match, which shall not exceed 15 rounds.

(h) Contests and exhibitions must be approved.

(1) Department approval must be obtained prior to selling tickets, announcements, or advertisements concerning shows, show dates, contestants, or matches.

(2) Notice for dates for all shows must be made in writing to the department at least three weeks in advance of the proposed date.

(3) Requests for approval of cards must be received by the department at least ten days prior to the date of the contest. Said request must contain full legal names and addresses of contestants, ring names, weights, previous records, the number of rounds to be fought, and amount of purse or guarantee.

(4) Substitutions will not be permitted unless the substitute has been approved by the department.

(5) Notice of any change in announced or advertised programs, including cancellation of the show, must be approved by the department at least twenty-four hours before the scheduled contest. Notices announcing changes or substitutions must also be conspicuously posted at the box office and announced from the ring before the opening bout.

(6) In addition to the requirements in this subsection, no contestant shall be advertised by any promoter before said promoter has in his possession a written commitment for each contestant or performer.

(7) Championship matches.

(A) Only championship matches sanctioned by national or international organizations composed of city, county, state, or national athletic commissions will be approved by the commissioner as championship matches. Before championship matches can be advertised, the contracts of the contestants must be on file with and approved by the commissioner.

(B) The commissioner may also recognize State of Texas championship title fights. Championship qualifications will be determined by the records of the contestants on file with the department.

(i) Rules for championship matches. In a championship match to be held in Texas, the commissioner may approve changes in the rules governing conduct of contests to conform to international rules.

(j) Special added attractions. The term "special added attraction" shall mean the appearance of any person or persons to act in any capacity at any boxing match who by reason of their reputation, ability or otherwise is calculated for and has a tendency to increase the attendance at such boxing match.

(k) Purses. Purses shall be paid in cash immediately after the contest. Payments of percentage contracts shall be made as soon as the amount can be determined. If a boxer has a manager, separate payments will be made to the boxer and manager and the receipt signed and delivered to the representative of the department. If there is no boxer-manager contract filed with the department, the purse shall be paid in full to the contestant. Such payments shall be made in the presence of the authorized representative the Texas Department of Labor and Standards.

(l) Forms. A promoter and/or matchmaker shall complete and file all forms in the manner and time specified on the forms. They shall submit the tax report, doctor's reports, and contracts within 72 hours after the show is held.

(m) Failure of promoter to perform. The failure of a promoter to perform according to the terms of the contract; to produce contestants or special added attractions as advertised; to pay the contestants their contractual guarantee, or percentage; or the failure of a promoter to live up to his agreement with his contestants or performers who did perform as scheduled is prohibited.

Sec. 61.7. Conduct of Bout.

(a) Managers.

(1) Managers must carry the boxer-manager identification card.

(2) Managers shall be responsible to the commissioner for the conduct of their boxers in compliance with the law and rules.

(3) Managers are forbidden to toss a towel into the ring in token defeat of their boxer.

(b) Boxers.

(1) In all contests or exhibitions, contestants shall weigh in stripped at a set time, but not later than two o'clock on the day of the contest or exhibition in the presence of a representative of the Texas Department of Labor and Standards.

(2) No contests shall be scheduled, and no contestants shall engage in a boxing contest where the weight difference at weighing time

exceeds the allowance as shown in the following schedule without permission of the department.

CLASS	WEIGHT	WEIGHT DIFFERENCE
Flyweight	112 lbs or under	not more than 3 lbs.
Bantamweight	over 112 lbs. - 118 lbs.	not more than 4 lbs.
Featherweight	over 118 lbs. - 126 lbs.	not more than 5 lbs.
Lightweight	over 126 lbs. - 135 lbs.	not more than 6 lbs.
Welterweight	over 135 lbs. - 147 lbs.	not more than 8 lbs.
Middleweight	over 147 lbs. - 160 lbs.	not more than 10 lbs.
Light heavyweight	over 160 lbs. - 190 lbs.	not more than 12 lbs.
Cruiserweight	over 175 lbs. - 190 lbs.	not more than 15 lbs.
Heavyweight	over 190 lbs.	

(3) All contestants must be in the dressing room at least 45 minutes before the show is scheduled to begin.

(4) Boxers shall box in proper ring costume including protection cup, which shall be firmly adjusted previous to entering the ring. The felt of the trunks shall extend above the waistline and the hem may not extend below the knee. Boxers must wear different color trunks. Mouthpieces shall be worn at the beginning of each round. Shoes shall be of soft material and shall not be fitted with spikes, cleats, hard soles, or hard heels.

(5) Requirements for female contestants.

(A) A negative pregnancy test will be obtained the day prior to or day of the fight.

(B) Evidence of fibrocystic disease, nipple discharge, or other evidence of breast disease may result in disqualification. Mammography may be requested by examining physician.

(C) The examining physician may request a buccal smear if any doubt of sex.

(D) A pelvic exam will be required and any evidence of ovarian disease will result in disqualification.

(E) If the female boxers are a main event or billed as such, they will be required to be examined 7 days prior to the fight because of higher risk for disqualification.

(F) Mouthpiece must be used.

(G) Ten ounce gloves will be worn.

(H) Breast protection is mandatory.

(I) The promoter must provide adequate separate dressing rooms.

(6) Use of profanity by a boxer, his manager, or second is prohibited and if indulged in after a warning by the referee the offender

may be disqualified and the match given to his opponent.

(7) All contestants must be ready to enter the ring immediately upon the finish of the preceding bout.

(8) Any boxer receiving an injury, that would normally require a suspension under these rules while training in a gym, shall report the injury to the department within 24 hours. The boxer's legitimate manager also shares the responsibility for reporting.

(9) Passports. All boxers and managers shall be required on each contest to provide certification and any and all information required by the department as to past contests, medical and injury history.

(c) Seconds.

(1) Each boxer must have two or three seconds, except if the commissioner permits otherwise. Each contestant shall have one chief second and each chief second must have a complete first aid kit. The seconds must be neatly attired.

(2) Seconds shall leave the ring enclosure at the sound of the timekeeper's whistle. They shall leave the ring platform and remove all obstructions, including stools, buckets, and equipment promptly when the gong sounds for the beginning of each round. None of these articles shall be replaced on the ring floor until the gong has sounded the end of a round.

(3) Seconds shall not coach the contestant during the progress of the rounds, shall remain silent during the rounds, and shall not throw water on the contestant or in any way assist.

(4) Seconds are forbidden to toss a towel into the ring in token defeat of their boxer.

(5) Only one second shall be allowed in the ring during the rest period. Fans may be used between rounds but the swinging of towels is prohibited. The use of an unapproved preparation during a match is prohibited.

(6) Violations of the provisions of this subsection maybe followed by ejection of the offender from the ring corner, and may result in the disqualification of their contestant by the referee.

(d) Timekeepers.

(1) Two timekeepers, assigned by the department, shall be required at each show one to keep time and one to count for the knockdowns.

(2) Timekeepers shall blow their whistle 10 seconds prior to the end of each one minute rest period. Timekeepers shall not strike the gong during the process of the round. The gong shall be sounded at the beginning and at the end of each round.

(3) When a boxer is down the timekeeper shall rise and start his count, counting one for each second until 10 is reached.

(4) If the referee is absent from the ring or temporarily

incapacitated the timekeeper shall immediately sound the gong for temporary discontinuance of the contest.

(e) Referees and judges.

(1) Referees and judges will be assigned by the deparatment.

(2) A referee and two or three judges shall officiate at boxing bouts. A majority vote of these individuals will determine the outcome of the contest.

(3) No manager, promoter, or matchmaker shall be allowed to officiate at any contest.

(4) General provisions for referees.

(A) THe referee is the chief official of the contest. He has general supervision over the bout and takes his place in the ring.

(B) If an assigned official is unable to officiate, he shall notify the Commissioner of the Texas Department of Labor and Standards 5 hours before the contest.

(C) Before the contest, the referee shall ask each contestant the name of his chief second and shall hold that chief second responsible for the conduct of his contestant durirng the contest.

(D) Before each bout the referee shall call the contestants and their chief seconds together for final instructions. Referees must instruct boxing contestants that wrestling and rough tactics will not be tolerated, and to protect themselves at all times. The contestants, after receiving final instructions, shall shake hands and retire to their corners. They shall not again shake hands until the beginning of the last round.

(5) Referee's power.

(A) The referee may, stop a fight during or between rounds because of an injury or the poor physical condition of a contestant.

(B) The referee may stop a bout and make a decision and disqualify both contestants if he considers that the contestants are not boxing in earnest.

(C) When a contestant is incapacitated by a low blow or act, he shall be given sufficient time to recuperate; the referee may consult with the official doctor.

(6) Referee's duties.

(A) The referee shall not touch the contesting boxers except when one or both contestants fails to obey the break command.

(B) When a contestant is knocked down as the result of a punch, the referee shall order the opponent to retire to the farthest neutral corner of the ring, pointing to the corner, and immediately pick up the timekeeper's count. He shall audibly announce the passing of the seconds, accompanying the count upward with motions of his arm for each second passed, indicating the count with visual finger counts at the end of each second. The referee may cease counting if the opponent fails to remain in the neutral corner until the count is complete. No contestant who is knocked down shall be allowed to resume boxing until the referee has finished counting eight. The contestant may take the count either on the floor or standing. The referee's count is the official count.

(C) Should a contestant who is down rise before the count of 10 and again go down without being struck then the referee shall resume the count where he stopped.

(D) When a round, other than the last round, in any boxing contest ends before a contestant, who was knocked down, rises, the bell shall not ring and the count shall continue. If he rises before the count of ten, the bell shall ring and end the round.

(E) Should a contestant leave the ring during the one minute period between rounds and fail to be in the ring to resume boxing when the gong rings, the referee shall count that contestant out the same as if he were down.

(F) If a contestant who has been knocked or has fallen out of the ring during the contest fails to return immediately, the referee may count him out as if he were down. Seconds shall not be allowed to assist contestants back into the ring.

(f) Scoring.

(1) A contestant shall be deemed down when:

(A) any part of his body other than his feet is on the ring floor;

(B) he is hanging over the ropes in a defenseless manner (a referee can count the boxer out either on the ropes or on the floor);

(C) he is rising from a down position.

(2) Fouls are defined as follows:

(A) hitting below the belt;

(B) holding an opponent with one hand and hitting him with the other;

(C) hitting an opponent who is "down" or who is getting up after being "down";

(D) holding an opponent or deliberately maintaining a clinch;

(E) butting with the head or shoulder or using the knee;

(F) hitting with the inside or butt of the hands, the wrist, or the elbows;

(G) hitting or "flicking" with open gloves;

(H) wrestling or roughing at the ropes;

(I) purposely going down without being hit;

(J) striking deliberately at that part of the body surround the kidneys;

(K) the use of abusive or profane language;

(L) jabbing opponent's eyes with the thumb of glove;

(M) rabbit punches (hitting at the back of the head or neck);

(N) failure to obey the referee;

(O) any physical actions which may injure a contestant other than sportsmanlike boxing.

(3) In scoring a contest the elements of offense, defense, clean hitting, ring generalship and sportsmanship will be carefully considered. scoring shall be by the 10-point must system. The winner of any round is marked 10; the loser is marked nine or less. When a round is even, each contestant will receive 10 points. A clean knockdown should be scored heavily. The contestant who takes advantage of the nine-count shall be credited with ring generalship. Ring generalship should not be credited to him if he rises immediately in a groggy condition. The referee shall advise the judges of a foul as soon as it occurs, and the number of points to be deducted. This should be done at the time the foul occurs. Referees and judges shall clearly write their decision and sign them individually.

(4) When a boxer is knocked down three times in any one round, the contest will be automatically terminated. The boxer scoring the knockdowns shall be the winner by technical knockout. The referee shall have he authority to stop a contest at anytime if the boxer is unable to defend himself.

(5) Accidental butts.

(A) if a boxer is accidently butted in a bout, but can continue, the referee shall:

(i) stop the action to inform the judges and acknowledge the butt;

(ii) if in later rounds, as a result of legal blows, the accidental butt injury worsens, the referee shall stop the bout and declare a technical decision with the winner being the boxer who is ahead on points.

(B) If a boxer is accidentally butted in a bout so that he cannot continue, the referee shall:

(i) call the bout a technical draw if the injured boxer is behind in points, declare the injured boxer the winner on a technical decision if he has a lead in points; or if all judges' score cards differ, the contest shall be declared a technical draw;

(ii) call the bout a draw if an accidental butt occurs during the first round of any contest.

(6) If the contestant fails to rise before the count of 10 the referee shall declare him the loser by a knockout. No contestant may be awarded a contest on a claim of a low-blow foul. If a contestant falls to the ring floor or otherwise indicates an unwillingness to continue because of a claim of a low-blow, he shall be declared the loser by a technical knockout.

(7) When a contestant is unable to answer the bell signifying the start of a round the referee will declare him the loser by a knockout in that round.

(g) After the bout.

(1) When the decision of the referee or judges has been announced both contestants and their seconds shall at once leave the ring and retire to their dressing rooms.

(2) Preliminary to the semi-main event, the announcer will announce if the decision is unanimous, a majority decision, a draw; that is, each of the officials voting differently, or any two voting a draw. In main events and championship contests the total points given each contestant by the referee and judges will be announced.

(3) A decision rendered at the termination of any boxing contest shall not be changed unless the commissioner, after a hearing, should determine that:

(A) there was collusion or fraud affecting the result of any contest; or

(B) the compilation of the score cards of the referee and judges show a clerical or mathematical error, which caused the decision to be given to the wrong boxer.

Section 61.8. Amateur Contests.

(a) Any club seeking nonprofit amateur tax exempt satus under this law shall complete a department information form concerning ownership, affiliation, and other relevant information. Failure to complete and submit this information will prevent recognition of the club's tax exempt status.

(b) All amateur contests where an admission fee is charged shall be conducted under the conditions contained in subsection 7(c) of the Texas Boxing and Wrestling Act.

(c) All amateur contests shall be conducted under the rules of the amateur associations, as approved by the Texas Department of Labor and Standards.

Section 61.9. License Denial, Revocation or Suspension, Purse Forfeiture; Notice and Hearing.

(a) The commissioner, after notice and hearing, may deny, revoke, or suspend any license and/or may order the forfeiture of the purse of a boxer or manager in an amount not to exceed $1,000 if the Commissioner finds that:

(1) A licensee, his employee or agent, or an applicant:

(A) has violated any boxing rule or regulation or a provision of the Texas Boxing and Wrestling Act;

(B) has failed to pay all legitimate bills contracted in connection with training and gymnesium expenses or other expenses incurred directly related to a contest;

(C) has caused through negligence or incompetence serious injury to a contestant;

(D) has assaulted an on-duty employee of the Department of Labor and Standards;

(E) has hindered, prevented, or interfered with, by threats of violence or physical force an employee of the department in discharging his duties with respect to the enforcement of the Boxing and Wrestling Act or the Rules and Regulations promulgated thereunder;

(F) has knowingly made a misrepresentation or false statement in the application for license with intent to mislead the Department.

(2) promoter, his employee or agent:

(A) has violated any of the provisions of paragraph (1) of this subsectionV

(B) has failed to submit all forms and reports required by these rules;

(C) has admitted people to contests without tickets;

(D) has sold complimentary tickets;

(E) is not in fact the real party in interest and the real party in interest is one who has previously been denied a license, one who has had his license suspended or revoked, or one who does not presently qualify for a license;

(F) does not possess a current bond.

(3) A boxer:

(A) signed a contract with a manager while under contract with another manager;

(B) failed to properly condition himself, or who through lack of effort or any fault of his own was the cause of any bout or exhibition being cancelled, terminated during the fight, or postponed;

(C) sustained a succesion of four knockouts or six defeats;

(D) is unfit for competition based upon medical evidence.

(4) A timekeeper failed to keep accurate time in starting and stopping rounds or in the count for knockdowns as set forth in rule section 61.7(d) of this title (relating to Conduct of Bout).

(b) Notice and hearing.

(1) When either the commissioner, assistant commissioner, or director of labor/licensing and enforcement has determined that a licensee may have violated the boxing and wrestling act or the rules and regulations promulgated thereunder, he shall notify the licensee of the department's intent to take administrative action against the license.

(2) The notice shall be given and the hearing conducted in accordance with the provisions of the Administrative Procedure and Texas Register Act, Texas Revised Civil Statutes, Article 6252-13a(13)-(18).

SECTION 61.10. Effective Date of Rules.

(A) Insurance, ring and equipment. All promoters will be given six calendar months from the effective date of these rules to comply with section 61.4 excluding section (H). And 61.5(e)(6)(T)(ii).

(B) Gloves. All promoters will be given six calendar months after the department specifies the gloves under Section 61.4 (H) to comply.

(C) Other Rules. All other rules are effective on filing.

HEARING ON H.R. 1689, TO CREATE AN AMERICAN BOXING CORPORATION

FRIDAY, SEPTEMBER 20, 1985

House of Representatives,
Subcommittee on Labor Standards,
Committee on Education and Labor,
Las Vegas, NV.

The subcommittee met, pursuant to notice, at 1:05 p.m., in the Tudor Room, South Tower, Dunes Hotel, 3650 Las Vegas Boulevard, Las Vegas, NV, Hon. Austin J. Murphy presiding.

Members present: Representatives Murphy, Williams, Richardson, and Leland.

Staff present: Richard Fiesta, counsel, Subcommittee on Labor Standards, and Mark Powden, minority labor staff director and administrator.

Mr. Murphy. The Subcommittee on Labor Standards of the Committee on Education and Labor will now convene. This afternoon our subcommittee convenes its second hearing regarding the contents of H.R. 1689, introduced by my colleagues, Pat Williams of Montana and Bill Richardson of New Mexico, which would create an American Boxing Corporation.

The Congress and this committee have been concerned with reported abuses in the sport of professional boxing for over 25 years. Since Senator Estes Kefauver first focused on the difficulties in the sport the Congress has repeatedly returned to this subject in an effort to guarantee that those whose livelihoods depend on the sport are protected, and that the millions of Americans who enjoy the sport are insured fair matches.

In recent years the cries for bans on the sport have grown louder. In order to save the sport it is obvious that the public must be assured that the sport is clean and that those who participate in it are protected.

It is the purpose of this committee to seek to deliver that assurance and to provide that the participants and fans can depend on just competition and protection of those who participate in one of our national sports.

I have seated at my right Congressman Bill Richardson of New Mexico, a cosponsor of the legislation. Mr. Richardson, do you have an opening statement?

STATEMENT OF HON. BILL RICHARDSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW MEXICO

Mr. RICHARDSON. Yes. Thank you very much, Mr. Chairman. I too wish to thank you for convening this hearing. I want to thank, especially, the members of the Nevada Boxing Commission who, whenever we have had dealings with them relating to legislation in boxing, and simply being here in their State to watch a fight as a fan, they have been extremely helpful and supportive.

I also wish to commend my colleague Pat Williams who, I understand, is on his way, for his leadership in the sport of boxing.

Mr. Chairman, 2 days ago a reporter called me and asked if I felt tomorrow's fight was a mismatch, given the disparity of weights. I personally do not think this is the case. But his call illustrates a growing problem in professional boxing: Questions about the safety of boxing and accompanying mistrust of the public about the fairness of fights.

This growing public perception, along with the American Medical Association's call for a ban on boxing, has generated a great deal of interest in the Congress. There are currently four bills in the House which deal with professional boxing, bills ranging from an outright ban to Federal regulation of the sport. While Congress has steered clear of regulating sports in the past it has done so largely because other major sports industries have developed mechanisms which perform self-regulating functions. The regulation of boxing, on the other hand, is best described as a nonsystem. Each State determines the extent to which it will or will not regulate boxing. Forty-two States and the District of Columbia regulated boxing at the State level. Kansas, North Carolina, Nebraska, and Oregon regulate boxing at the city level only. Colorado, Oklahoma, South Dakota, and Wyoming do not regulate the sport at all.

Herein lies a major problem with the sport. Boxers can go from State to State, participating in fights which may endanger their health and safety, or the health and safety of their opponents. There is no system to register boxers, to track the won/loss records of these individuals. There is no way to know if a boxer fighting in Massachusetts was knocked out 3 days before in New Mexico. We do not even know how many professional boxers there are. And as television has come to account for a far greater share of total fight revenues than live gate receipts, location has become less and less important to the financial success of boxing events.

Promoters who encounter problems in complying with a particular State's regulations can simply move a fight to another State where standards are less strict or nonexistent. In so doing important health and safety standards are compromised.

To a fan of the sport a ban seems extreme. Yes, we should do all we can to correct some of the problems which have led to the AMA's and some Members of Congress' call for a ban. No, we should not make the sport illegal without first trying to right the health and safety wrongs which exist.

I am a strong boxing fan but I am also a political realist. I believe that this Congress and future Congresses will reject an outright Federal regulation of professional boxing. On the other hand, I do not think they will stand for the status quo. I think the bill that Mr. Williams and I and several others have cosponsored are responsible middle ground.

They are based on the following premises. One, boxing does not need to be banned. Its safety problems can be mitigated and remedied by the boxing people themselves. There are many Members of Congress who firmly believe this. We have devoted a great deal of time to this issue and we are working on various bills to achieve this end.

Most importantly, the American public strongly supports boxing. A recent Harris Survey found that 37 percent of all Americans follow boxing regularly. The Congress, once again, I do not think will support a complete Federal regulation of the sport. This approach has been rejected time and time again by this body, most recently 2 years ago on a bill introduced by myself and Mr. Williams.

The bill that Mr. Williams and I have would establish a private nonprofit corporation that contains a commission to establish and monitor national minimal health and safety standards.

Mr. Chairman, I ask unanimous consent that the remainder of my statement be inserted in the record, and I look forward to the testimony today. Once again, Mr. Chairman, thank you for calling this hearing.

Mr. MURPHY. Thank you very much, Congressman Richardson. Without objection the remainder of your opening remarks will be submitted for the record.

[The prepared statement of Hon. Bill Richardson follows:]

PREPARED STATEMENT OF HON. BILL RICHARDSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW MEXICO

Mr. Chairman, I would like to thank you for giving me the opportunity to testify before the subcommittee today. Your interest in professional boxing is appreciated by everyone here. I would also like to commend my colleagues, Mr. Williams and Mr. Dorgan for their interest in boxing and their efforts to reform professional boxing.

Two days ago a reporter called and asked me if I felt tomorrow's fight was a mismatch. I do not think this is the case but his call illustrates a growing problem in professional boxing—questions about the safety of boxing and accompanying mistrust of the public about the fairness of fights.

This growing public perception, along with the American Medical Association's call for a ban on boxing, has generated a great deal of interest in the Congress—there are currently four bills in the House which deal with professional boxing, bills ranging from an outright ban to Federal regulation of the sport. While Congress has steered clear of regulating sports in the past, it has done so largely because other major sports industries have developed mechanisms which perform self-regulating functions.

The regulation of boxing, on the other hand, is best described as a "non-system". Each State determines the extent to which it will, or will not, regulate boxing. Forty two States and the District of Columbia regulated boxing at the State level. Kansas, North Carolina, Nebraska and Oregon regulate boxing at the city level only. Colorado, Oklahoma, South Dakota and Wyoming do not regulate boxing at all. Herein lies a major problem with the sport—boxers can go from State to State, participating in fights which may endanger their health and safety or the health and safety of their opponents. There is no system to register boxers, to track the won/loss records of boxers—there is no way to know if a boxer fighting in Massachusetts was knocked out three days before in New Mexico. We don't even know how many professional boxers there are. And, as television has come to account for a far greater share of total fight revenues than live-gate receipts, location has become less and less important to the financial success of boxing events. Promoters who encounter problems complying with a particular State's regulations, can simply move a fight to another

State where standards are less strict or non-existent. In so doing, important health and safety standards are compromised.

To an aficionado of boxing, a ban seems extreme. Yes, we should do all we can to correct some of the problems which have led to the AMA's and some Members of Congress to call for a ban ofthe sport; no, we should not make this sport illegal without first trying to right the health and safety wrongs which exist.

I am an avid boxing enthusiast; I am also a political realist. I believe this Congress and future Congress's will, as they have in the past, reject outright Federal regulation of professional boxing. I have sought the middle ground in the boxing legislation I introduced earlier this year. My bill is based on the following premises:

1. Boxing need not be banned—its safety problems can be mitigated, remedied. There are many Members of Congress who firmly believe this, who have devoted a great deal of time to this issue and who are working on various bills to achieve this end. Most importantly, the American public strongly supports boxing—a recent Lou Harris survey found that 37 percent of all Americans follow boxing regularly.

2. The Congress will not support Federal regulation of boxing. This approach has been rejected time and time again by this body. My bill would establish a private, non-profit corporation commission to establish and monitor national minimum health and safety standards for professional boxing. It would be chartered by the Federal Government—not run by it.

The commission, while voluntary, would consist of ten voting members, four of them acting State commissioners. The makeup of this commission, along with general network and boxing community support to this date, suggest there would be strong pressures to participate in the activities of the commission.

3. The sport needs some kind of congressional direction and leadership. My bill, through its Federal charter, appointment's process (members are appointed by the President from a list supplied by the House and Senate), commission membership (ex officio members include Members of Congress) and GAO audit requirements of the commission on an annual basis—will provide this direction without the political and bureaucratic pitfall of direct Federal intervention and regulation.

4. The health and safety of boxers should be our number one concern. My bill deals strictly with health and safety—it does not promote fights, rank boxers or get involved in the business which is the legitimatae purview of promoters and boxing organizations. My bill would establish minimum standards and rules for safety in the ring; for physical examinations; for medical services; and for equipment. Most importantly, it would establish a national computer source network of professional boxers and provide a mechanism for the national certification of boxers, trainers, referees, judges and ringside physicians.

5. Existing State commissions should play a major role in this effort. Four out of ten of the members of my commission would be State commissioners. Their involvement and support is imperative. However, boxing regulation at the State level is not enough.

6. Finally, Federal involvement should not pre-empt legitimate boxing organizations. These organizations serve legitimate functions and represent legitimate constituencies. Rather, any effort we support should complement existing organizations, not circumvent them. My bill would deal with health and safety standards, not promotion, sanctioning or ranking—organizations exist to do this. Through a national passport and information system, the United States Boxing Commission will provide the regulation and consistency the sport needs to prevent mismatches, and improve health and safety.

The sport of boxing is the one sport in the world today without a central, self-regulating body. This is due in large part to the individual nature of the sport—it is much easier to organize teams into leagues or conferences. There is now no one in a responsible seat of authority to administer to the needs of the sport, to the welfare and safety of fighters and to the overall well-being and future of the game itself. I hope that we can remedy this situation in the 99th Congress and look forward to working with my colleagues and those who truly care about boxing to arrive at a reasonable, responsible and workable solution to boxing's problems.

Mr. MURPHY. We are awaiting the arrival of Congressman Williams, who is the sponsor of the legislation and is also a member of this subcommittee. His plane was to arrive at 12:40 p.m. From that you would know how much time it would take him to get in, so he should be here momentarily.

However, we have a very busy medical practitioner with us this afternoon who is scheduled to testify and who has a few things to do back in his office before the afternoon ends.

I want to thank all of the panelists for participating. This should be a very enlightening experience for those Members who are here as well as the remaining 40 Members on our committee who are not lucky enough to be in Las Vegas today.

So, Dr. Donald Romeo, a boxing physician from Las Vegas, NV. Dr. Romeo.

STATEMENT OF DONALD J. ROMEO, M.D., BOXING PHYSICIAN, LAS VEGAS, NV

Dr. **Romeo**. Before I begin to go into my testimony I would like to give you gentlemen just a wee bit of my background. I have been the——

Mr. **Murphy**. Do you want to suspend for 1 second, Mr. Williams can have the benefit of your full testimony, doctor? He is here.

Dr. **Romeo**. I would love to have Mr. Williams here.

Mr. **Williams**. Doctor, how are you?

Dr. **Romeo**. Fine, thank you.

Mr. **Murphy**. Mr. Williams, we just had our opening remarks and this is the first witness. You may proceed, doctor.

Dr. **Romeo**. This is not in your statement which I have given you, but I would like to give you just a bit of my background.

I have been associated with boxing in the State of Nevada since 1960. As the chief medical examiner I have been physically present at over 9,000 fights. This includes the Golden Gloves amateurs, AAU. I was lucky enough to be an attending physician at the past Olympics in 1984 in Los Angeles. I am a member of the North American Boxing Federation and a founding member of the Ringside Physicians, an organization which has been in existence for some time now. So, I would like to begin my testimony now.

First of all, I would like to begin by stating that I am honored and grateful to have been asked to testify before you regarding proposed legislation, H.R. 1689. The creation is certainly a most admirable attempt to establish uniform standards for boxing in the United States.

At the onset I must say that I agree in principle as to what you are attempting to accomplish, but in this era of States' rights, with less governmental interference, I believe the timing is not right. My reasons are multiple.

First of all, belonging to the organization itself, which you propose, is voluntary by State commissions. I believe that States in which boxing is more than just a once-in-a-while thing, that commissions in these States are quite able and are continuously trying to run a tight ship with the idea of safety being uppermost in their minds.

Most recently, in Dallas, TX, I attended a meeting where 13 of the most active States met voluntarily to form an organization free of governmental control to try to unify standards of just the type which the proposed American Boxing Commission is attempting to do. I believe we in boxing can regulate our sport without governmental intervention. I believe this prod by the Government, however, comes at a good time in having us accomplish this needed type of reform.

With H.R. 1689, the composition of the American Boxing Corp. a minimum of three members have been proposed to become members of the board, who have been associated with boxing. I believe people who are actively engaged in some manner would best serve the corporation if formed. I could see people who may be out of touch, even though they once were engaged in some manner with boxing, being appointed to this commission.

With regards to section 6 of the proposed bill, it stated one of the functions would be sanctioning boxing matters held in the "Model State Commission." The logistics of paperwork involved in this alone would be voluminous. I doubt this could accomplish any more than what is being done now by good, active, reliable existing State commissions.

In section 8, regarding establishing the champions and ratings, to me this is superfluous. There are too many existing boards and boxing associations doing this already. One more would only add to the confusion.

Another area which concerns me is the moneys needed to fund such an organization, what with its proposed helping the States who are financially in need of help, publishing a magazine, paying board members, directors, trustees, and others, their salaries and expenses ad infinitum to me would be quite costly. I can think of many other more important areas in which governmental money could be spent.

In Section 9(b) there is another feature which bothers me. The corporation as it would be formed may fix and collect a fee for boxing matches and boxers in the States who implement the standards of this act. Here is another case of extra moneys and fees spent. This would exact more moneys taken from small promoters and boxers in the early stages of their careers.

I realize I have been quite negative in my reaction to H.R. 1689 but I feel quite strongly about this. I believe that there are enough honest and forthright people in boxing who can clean their own house. The movement which I mentioned earlier in my testimony—that is, the meeting in Dallas, TX—is a way of attacking any problems which may exist.

Tests are being run on the types of gloves and padding, ring padding, and ropes, together with tests on headgear, more stringent medical exams and medical testing as the result of continuous head blows. These and other problems are part of the program this new group in the boxing community is working on.

I believe H.R. 1689 should be put on hold to allow those of us directly involved in the sport to solve our own problems.

In conclusion I would like to say I am very proud to have been associated in boxing for the last 25 years with the State of Nevada, and I am extremely more proud of our own State boxing commission through their tenure while working with them.

I thank you again for allowing me to give you my feelings regarding this proposed legislation.

[The prepared statement of Dr. Donald J. Romeo follows:]

PREPARED STATEMENT OF DONALD J. ROMEO, M.D.

Mr. Chairman and members of the subcommittee, may I begin by stating that I am both honored and grateful to have been asked to tstify before you regarding proposed legislation H.R. 1689. The creation is certainly a most admirable attempt to establish uniform standards for boxing in the United States.

At the onset I must say that I agree in principle as to what you are attempting to accomplish; but in this area of states rights, with less governmental interference, I believe the timing is not right. My reasons are multiple.

First of all, belonging to the organization is voluntary by state commissions. I believe that the states in which boxing is more than just a "once in a while" thing that commissions in these states are quite able, and are continuously trying, to run a tight ship with the idea of safety being uppermost in their minds. Most recently in Dallas, Texas, I attended a meeting where 13 of the most active states met voluntarily to form an organization free of governmental control, to unify standards of just the type which the proposed American Boxing Commission is attempting to do. I believe we in boxing can regulate our sport without governmental intervention. I believe this prod by the government comes at a good time, however, in having us do this needed type of reform.

With H.R. 1689 the composition of the American Boxing Corporation a minimum of three members have been proposed to have become members of the board who have been associated with boxing. I believe people who are actively engaged in some manner would best serve the corporation, if formed. I could see people "who may be out of touch" even though they once were engaged in some manner with the sport, being appointed.

With regards to Sec. 6 of the proposed bill, it is stated one of the functions would be sanctioning boxing matches held in the Model State Commission. The logistics and paper work involved in this alone would be voluminous. I doubt this could accomplish anymore than what is now being done by good, active, reliable existing state commissions.

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Another area which concerns me is the monies needed to fund such an organization, what with its helping states, financially, who needed help, publishing a magazine, paying board members, directors, trustees et al, salaries and expenses ad infinitum could be costly. I can think of mnay other more important areas in which governmental money could be spent.

In Sec. 9(b) there is contained another feature which bothers me. The corporation, as would be formed, may fix and collect a fee for boxing matches and boxers in the States who implement the Standards of this Act. Here is another case of the extra fees and monies spent. This would exact more monies taken from small promoters and boxers in the early stages of their careers.

I realize I have been quite negative in my reactions to the HR 1689, but I feel quite strongly about this. I believe there are enough honest and forthright people in boxing who can "clean their own house". The movement which I mentioned earlier in my testimony is a way to attack any problems which may exist. Tests are being run on different types of gloves, ring padding and ropes, tests on headgear, more stringent medical exams and medical testing as the result of continuous blows to the head. These, and other problems, are part of the program this new group in the boxing community is working on. I believe H.R. 1689 should be put on hold to allow those of us directly involved in the sport to solve our own problems.

In conclusion I'd like to say that I am very proud to have been associated with boxing in Nevada the past 25 years, and I am more proud of our own Nevada State Boxing Commission through this tenure, while working with them.

Thank you again for allowing me to give my feelings regarding this proposed legislation.

Mr. MURPHY. Thank you very much, Doctor. The only question I would pose, and perhaps my colleagues have the same one, is, although here in Nevada you apparently have perhaps the best system of the 50 states in regulating boxing, how do you know, when you have an applicant for a match here and boxes, that he has not lost a match in Ohio or Pennsylvania 3 days ago and they have brought him here to put on another performance?

Dr. **Romeo**. First of all, the secretary of the commission is to contact other States with whom we are associated, or which have active boxing performances, to let them know of the results of bouts in our State. And in reverse, we are in contact with those States who have had boxing matches, to let us know and to keep us up to date.

We have implemented standards here whereby we have started what we call a passport system. This is a booklet whereby we in Nevada sign and give the results and tell what should or should not be carried on as far as the medical part of it. Or if the man won the fight without injury, that also goes into this passport. And he carries that with him from State to State. And this association which I spoke about, which is beginning in Dallas, TX, is, I think, the answer to our problem. And I would like to see it be the model rather than something that is connected in some way with the Government.

Mr. **Murphy**. Mr. Williams.

Mr. **Williams**. Thank you, Mr. Chairman. Doctor, we appreciate your being here and your good testimony, and particularly we take note of your years of service, your love for boxing, and we do not underestimate your good counsel.

I am pleased that you find our bill timely but concerned that you are not particularly supportive of it. A couple of questions.

We have gone through a couple of hundred years, now, in this country, with one organization after another trying to make boxing right, give fighters—particularly the up-and-coming fighters—an even break and make sure they are ranked fairly and honestly; provide good ringside safety measures, which has been at the heart of your concern; establish one rating system, one ranking system, one set of champions. And they have failed.

I mean, the facts are in, they have failed. The decision is in on boxing. These groups have failed to provide the kinds of things they want to provide. Now you are telling us one more group, one more voluntary group of State commissioners might get it done. Why is that? What is different about this group, a group that might voluntarily come together, that is different from all the other groups that have failed all these years?

Dr. **Romeo**. I feel, with all the outside pressure which has been exerted upon the sport, is the reason as to why we in boxing have voluntarily begun to come together. We have had one meeting in Dallas, as I already mentioned. There is another meeting in, I believe, Spring Lake, NY, the 27th and 28th of this month, and I am quite hopeful that this type of organization, without any governmental intervention, would solve our purposes.

Mr. **Williams**. I hope you are right, although I cannot find the negative aspect of public assistance in boxing. I do not so much see it as Federal interference or Federal intervention any more than I see a State commission as State interference or State intervention.

And particularly this boxing commission, in one degree or another—Congressman Richardson has it one way in one bill and I have it a little different way, but beside the point, it would be a voluntary compliance by State commissions. So I do not particularly see it as interference. I just see it as a way to try to place a single umbrella over this sport rather than continuing to add to the complexities of the sport.

One more association adds to the complexities of this sport, and states are never, in my judgment, never going to be able to adequately regulate national and international boxing.

And if I may, Mr. Chairman, let me just conclude by saying that I think all of us want to protect States' rights, whether it is in boxing or taxing or whatever it is.

Mr. **Murphy**. I hope so.

Mr. **Williams**. But the genius of the Federal system in this country is that there are those instances where the States only add complexity to a problem. There are those examples where States simply cannot solve national problems and boxing is one of those examples. Why? Because it is an interstate sport. People move. Boxers cross State lines. They move into different jurisdictions. Some of them fight under different names. The medical examinations, State by State or even city by city, are different.

So, it seems to me that you need a Federal solution, and I separate that from Federal interference, which I do not want, or unnecessary Federal intervention, which I do not want. I prefer to see it as a voluntary Olympic-style commission.

In any event, I think you and I are on the same track. We do not want to see the heavy hand of the Federal Government in this. We would like to see boxing clean up itself as best it can, and I think a close look at the bill which many of us have introduced indicates that this is what this bill allows: It allows voluntary cooperation with the State boxing councils in an effort to make the boxers workplace, the ring, a little safer and to reform this sport, which many of us think is in serious trouble, and like an old champ about to retire it does not know the real trouble it is in.

Dr. **Romeo**. Well, if I could, I would like to refute several of your statements. I do not know how you can differentiate between interference and intervention with Federal Government. Who appoints the initial board members if it is not the Government? There is the first step.

The second step, you have no assurance whatsoever that the States will voluntarily comply or join. As I stated before, I think the more active States are working on this because of all the hue and the cry which has come up. I think we can do the job without the Federal intervention whatsoever.

Now, you talk about the Olympic committee, one of the finest organizations in the world, but the Federal Government does not appoint the members of the committee. This is a group, this is an association of States who get together voluntarily and elect their members, so I do not know why, if that is going to be used as your model, why it should be any different than what we want to use in professional boxing.

Mr. **Murphy**. Mr. Richardson.

Mr. **Richardson**. Thank you, Mr. Chairman. Dr. Romeo, I am disappointed in your statement, especially since you are preceded with a great reputation. I say this, I think part of the problem is that you operate in a State—and I see my friend Sig Rogich here—which is a model State, where you have outstanding requirements and an outstanding record.

But you are telling me something that is very disturbing. You are using the old Federal regulation argument. You used the words, hue and cry. I wonder if you think there is a problem? You mentioned this famous meeting in Dallas.

Dr. ROMEO. Yes.

Mr. RICHARDSON. I noticed that 13 States attended. There are 50 States, and part of the problem is that the majority of the States in our Nation have very lax regulations, some none at all. Now, I am not going to name them. The concern that I have is that what we are putting forward with Mr. Williams' bill and another one that I have, deals primarily with having uniform health standards to insure the safety of boxers.

Now, I see Kenny Norton back there, and I think he is a prime example of care, and the Kenny Nortons of the world, I think, are taken care of. But what about the smaller boxers, the young black, hispanic ghetto boxers that perhaps do not have that ability or that trainer that insures that they are in good shape. That is the purpose of this legislation.

You mentioned the Olympic commission. Why have you all not set up an Olympic commission? You have not. You have refused to regulate yourselves, you have refused to give the public any kind of perception that there is concern about some of these deaths in the ring, about some of these promoters coming in and managing a fighter and promoting the fight. We have leaned on the networks, too, for getting fights that are not properly matched. There are a lot of problems here and none of us want to put a dead set Federal commission that is going to tell you what to do, like the Commissioner of Baseball, but we want to start somewhere, perhaps on the model of amateur sports. And all we are doing is constructively coming out and saying, let us work together. And you are basically saying, it is hue and cry. Stay out. We are reforming ourselves.

Well, Nevada is. Nevada is in good shape. Some other States are in good shape. But I can give you a litany of States where you would be, I think, extremely excruciatingly in pain to see their lack of regulations and protection of fighters.

Dr. ROMEO. Well, to refute some of your statements—and I would not for the life of me argue that some of the things that you mentioned were true. But do you think that for a single solitary minute that the inactive States are going to join your organization if they are not active now? What would be the difference?

Mr. RICHARDSON. Well, the other alternative is to make it mandatory, and I do not think we want to do that. But I have not seen that dramatic organization right now of—you mentioned the Olympic-style commission. Why have you all not formed one? Why have you all not had, I think, a greater initiative in getting yourselves together?

Dr. ROMEO. Well, like I say, I have no control over what any other State does. I can only tell you that we in Nevada have always been in the forefront with safety regulations, and rules and regulations in general, and again I come back to the outfit that met in Texas.

I think that they are the type of role model we want rather than one which, whether you want to call it intervention or what have you, with the Federal Government, you are going to appoint these people to the board. I told you why I did not think you should appoint certain members because of their inactivity out of boxing; I mentioned it in my testimony.

Mr. RICHARDSON. Doctor, you know how the members are appointed. We are talking about boxing people. We are talking about ringside physicians, promoters, former fighters.

Dr. ROMEO. No, no. In your bill you say that anybody that is actively connected with boxing cannot be a member of this American Boxing Commission.

Mr. RICHARDSON. No; that is not the case. That is not the case.

Dr. ROMEO. Well, it says there that three of them——

Mr. RICHARDSON. We are talking about two bills, and——

Dr. ROMEO. Well, I am talking about 1689, which is why I came here today. And I do not have the section listed. I am sorry, but it has to do with the makeup of the proposed American Boxing Corp., which is the name you use in your bill.

Mr. WILLIAMS. The act requires, Mr. Chairman—if the gentleman, Mr. Richardson, will yield?

Mr. RICHARDSON. I yield.

Mr. WILLIAMS [continuing]. That not fewer than three of the six-member board, prior to the appointment of the board, shall have been engaged as professional boxers, boxing promoters, agents, fight managers, matchmakers, referees, or judges, or in another capacity in the conduct of the business of professional boxing. So, we insist that at least half of the members of the board be involved——

Dr. ROMEO. Excuse me. Would you read the paragraph before it, please?

Mr. WILLIAMS. "Each member of the Board of Directors shall be a citizen of the United States, shall not during his service as a Director of the Corporation be engaged as a professional"——

Dr. ROMEO. That is what I——

Mr. WILLIAMS [continuing]. "boxer, boxing promoter"——

Dr. ROMEO. That is my point.

Mr. WILLIAMS. Well, if you are supportive of having a current boxing promoter as one of the directors of the boxing corporation——

Dr. ROMEO. I am not proposing any such thing.

Mr. WILLIAMS [continuing]. We could not get four votes for that in there.

Dr. ROMEO. I am not proposing any such thing, but I think it should be somebody who is presently actively engaged in boxing. Now, I do not say it has to be a promoter. You could have active fighters on it, if you wish. You could have active ring physicians if you wish. But I am not going to appoint them anyway. But what I say is, you may get ahold of some has-beens if you do not get somebody who has actively been engaged, if the proposed legislation is enacted.

Mr. WILLIAMS. I have no further questions.

Mr. MURPHY. Thank you very much, doctor. We do appreciate the time you have devoted to us today and the insight you have to boxing and this measure.

For those of you who arrived late, this is the Subcommittee on Labor Standards. I am Austin Murphy, chairman of the subcommittee, from Pennsylvania. Mr. Pat Williams from Montana, seated to my far right. Congressman Bill Richardson from New Mexico. And now we have been joined by Congressman Mickey Leland from Texas. So we have our four members here who are conducting the hearing today.

The next witness that we have—and we do appreciate his coming. We know what a busy weekend this is for you, Mr. Rogich.

We are very pleased to have Sig Rogich, the chairman of the Nevada Athletic Commission. He is accompanied by the other commissioners, Sam Macias, Duane Ford, Fred Little, and the chief deputy attorney general who is assigned to the commission, Susan Johnson. Thank you very much, Mr. Rogich, for coming and for bringing so much talent with you. You may proceed.

Mr. Rogich. Thank you, Mr. Chairman. I appreciate the opportunity to be here today.

STATEMENT OF SIG ROGICH, CHAIRMAN, NEVADA ATHLETIC COMMISSION, LAS VEGAS, NV

Mr. Rogich. Let me say, first, that I do not have a prepared statements. This is the third time I have appeared before this committee or a facsimile of this committee, I think, in Washington on one other occasion, and we had the opportunity to talk.

I might say how much I appreciate Dr. Romeo taking the time and effort to speak on behalf of the medical community as it relates to boxing in this State, those particularly most involved in the sport. I think that although, specifics, they differ from one group to another, I think he gave a broad overview of our sentiments and our feelings with regard to your proposed legislation.

Recently in July 1985, we met in Texas and we met there at the request of Dr. Marr, who is a medical consultant to the Texas Department of Labor and Standards. He put together a broad overview of medical standards that he felt were important for us as active States in boxing to address.

In that regard, without being specific, he called upon us to look to the establishment of uniform medical standards among the States; establish uniform safety standards for equipment among the States, such as rests, suspensions, rings, clubs, et cetera; encourage the States without commissioners or laws to establish them; work on establishing a national computer network to be used to track boxers.

We encourage and develop the proper use of boxing passports which are utilized currently in our State and in other active States in boxing; establishing uniform enforcement procedures used by boxing commissions; encouraging and developing better communications between all commissions; and in general encouraging support for those interested parties that were unable to attend that particular meeting, the opportunity for them to attend future meetings.

We are going to meet again, most of us, in New York on the 27th.

I might say that in Washington when I met you before I indicated then that I do not favor the full-time establishment of a national boxing commission. As a matter of practicality, I do not think it is the feeling or the intent of this Congress, this administration, to establish more national agencies; quite the contrary.

If you look at what has established itself in recent years as the pattern, the last 6 years particularly, with this administration and with this Congress, on both sides of the aisle, it has been to eliminate commissions and not establish new ones.

So I think as a practical matter that this work that you all have done, which we greatly appreciate, can act as a catalyst to bring us together as States, and I think you have established and done some great good for the sport of boxing.

I do think the only possible way that those of us could consider supporting establishment of a boxing corporation, as you have suggested, is if we had a corporation that came with sunset laws and eliminated itself after a certain period of time. Let us face it, you are not in this, necessarily, for any other reason except safety standards, and those safety standards have received more notoriety today because of action taken by the AMA as an executive body, and because of the popularity of the sport of boxing. With the advent of cable television and the need to fill more timeslots you have seen more boxing matches in the last few years than you have seen in a lifetime. And so now you are more cognizant about the problems associated with the sport, like any sport.

But any more than I think a national commission on baseball; a national commission on football—which, by the way, are all interstate, all have teams in various large metropolitan areas—a national commission on soccer; a national commission on horseracing, if you will; or a national commission on gaming; or to take it to the nth degree, a national commission on other businesses, which boxing is, in good part, will succeed in this Congress and at this time, I do not think the permanent establishment of a commission that you talk about today has much chance of passing the Congress.

I think, instead, we should look to working together, perhaps using this meeting today, and other meetings previously, to act as a catalyst for us, to let us do what we have to do.

I do not believe that boxing has failed, Mr. Williams. I think it has had its share of problems, like any sport, but if you look at the percentages and the problems related to boxing, you will find that they are far, far down the ladder when compared to other sports in terms of permanent injury and death. I think we have had our share of problems. I am not naive enough to tell you that boxing does not need to make some steps in different directions. But I do not think the establishment of a national boxing commission is necessarily the right answer any more than I think it is practical to think that they are going to abolish boxing in this country, as some people in the AMA have suggested.

As a matter of fact, many States, executive boards of the American Medical Association did not endorse that, that point made by the executive board of the AMA, and I would like to make that clear today. In our own State, for example, there is concern among those in the medical profession that we have not done enough to bring new safety standards to the sport of boxing. But they for not a minute endorsed that particular motion that came from the executive board of the American Medical Association.

Again, if their concern is the health and safety standards, I think we should look at all those standards collectively, utilize their input as doctors, utilize your input as regulators from the national scene, if you will, to bring the States together, and allow us to clean up our own back yard, if you will.

Mr. MURPHY. Thank you very much, Mr. Rogich. I would have the same question that I had of Dr. Romeo. Of course I guess my underlying concern with it is the plight of the boxer himself. I think, if there is a victim in the sport at all, it is the boxer.

What steps do you take here in Nevada to assure that you do not have repetitive fights from boxers coming in from the east, or the west coast, or somewhere? How do you determine that? What assurance do you have?

Mr. ROGICH. Well, we have a passport system. It has been utilized for the last few years, I believe, the biggest point that has been put into effect——

Mr. MURPHY. How does that passport system work?

Mr. ROGICH. The passport is one that is effectively signed by the physician at the previous fight, and then signed again after a physical by the physician at the fight in our State.

Mr. MURPHY. If he doesn't have a passport he does not box, is that it?

Mr. ROGICH. That is correct.

Mr. MURPHY. Who issues the passport?

Mr. ROGICH. The passports are issued by our own State. The passport system really started, I think, with the World Boxing Council. About 5 years ago the talks started and they initially asked for the use of the passport. Then the WBA brought forth one, the North American Boxing Federation of which Mr. Macias is president was instrumental too in acting as a push for the passport system. But our State has its own system, its own passport, that incorporates all of the finer points of all of those passports. It was approved by our commission and then reapproved by the Nevada Legislature.

Mr. MURPHY. Do you think that it could be improved upon if we had a national passport similar to yours, that this corporation that is proposed, would issue?

Mr. ROGICH. I do not think you could improve upon it. I do not think that you could take laymen in the business of boxing and ask them to write any more stringent standards in the sport than those of us who have worked in it can do. I do think that as we get into this age of computerization in all other sports—you mentioned the Olympics as probably the greatest example of how computers have helped the Olympic athletes in this country—I think that once we start to utilize a system of communication with other States—and granted, there were only 13 States, ironically, at that particular meeting in Texas——

Mr. MURPHY. It was a beginning then.

Mr. ROGICH. Yes, it was a beginning then. Maybe it is a beginning now. I will say that of the remaining States, Mr. Richardson, many, many States are not active in boxing at all and they do not even have commissions, and boxing does not take place in those States, and so that is the reason why that 50-State figure is not indicative of the problems we have in bringing all of the States together.

The 13 States that did appear with us probably are representative of the boxing community per se.

Mr. MURPHY. They probably have 80 percent of the boxing in those 13 States?

Mr. ROGICH. I would think so; yes, sir.

Mr. MURPHY. Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chairman. Mr. Rogich, it is good to see you again and we appreciate——

Mr. ROGICH. It is nice to see you, too.

Mr. WILLIAMS [continuing]. Your taking time once more——

Mr. ROGICH. Thank you.

Mr. WILLIAMS [continuing.] To testify, and this time we came to your home instead of bringing you to Washington.

Mr. ROGICH. Nice to have you here. We appreciate your coming.

Mr. WILLIAMS. Thank you. We are delighted to be here. As you know, I think you know I am a boxing fan, and when I began my remarks and questions of the Doctor and said, boxing has failed, I do not mean that it has failed to bring us a lot of enjoyment. I do not mean that it has failed to pull a lot of kids up, allow them to pull themselves up and come out of difficult circumstances and make more of themselves and feel better about themselves. I think boxing is a wonderful sport and I have been a fan ever since the first Louis-Walcott fight in which Ruby Goldstein and I and a lot of other Americans thought Jersey Joe won. So I am thrilled by this sport.

But 42 States and the District of Columbia now regulate it or license boxers, and yet we have no single set of regulations, still. We have no minimum health and safety standards in boxing, still. We do not even have a single ranking system for boxers. We do not even have a single set of champions. We have more than one champion. We have no registry of fighters. No one can tell you how many fighters there are in America. The Federal Government says there are twice as many as Ring Magazine says, and we found an expert who came to Washington, the only person we could find in America who has kept track of boxers, and he says there are 4,000 more than even the Federal Government knows about and he has their names.

I think that is a shame; I think that is wrong. We know how many race horses there are in this country and what their names are, because we have a registry of them. We have no uniform way to fund State commissions and most of them, as you know, are terribly underfunded. There are some States—I guess this is one of them—that operate a little better. So I think that boxing's ability to regulate itself—not boxing as a good spectator sport but its ability to regulate itself—has failed; not intentionally, but because of its complexities, because we have tried to allow 50, at least 50 different organizations to regulate it and because the two major commissions now are not regulated by anyone in America. One of them is located in Mexico and the other is located in Panama, WBA, and the WBC.

Americans have no authority over the major commissions which determine who fights and who does not, in large measure, for championships. And I just say, that is failure and as a boxing fan I would like to do something about it.

Mr. Rogich. Let me address some of those points. First of all, with all due respect, Mr. Williams, we do have some say over who fights and where they fight. For example, with the World Boxing Council whose offices are in Mexico City, we have a ratings committee, we have mandatory defensors that are set up accordingly and voted on by an open forum of several hundred people who attend national conventions annually in various parts of the world.

The head of that ratings committee is Mr. Bussey from the State of Texas. The members of that ratings committee are made up of people from throughout the world including England, the United States. The representative for that World Boxing Council is the chairman of this commission, myself. The parent organization in this country for that organization is the North American Boxing Federation. We do have some input there.

But in other organizations I cannot speak for them. I think there are some problems; I agree with that. But I will say, I know in the World Boxing Association, one of the major factors in terms of ratings comes from a Mr. Jim Benz in Philadelphia, PA. So there is a great deal of representation throughout this country. Members of commissions in various States represent those international boxing groups.

With regard to uniformity in terms of the champions, I do not think that is the intent of this commission, Mr. Williams. I think you are——

And by the way, I am not saying this in any way in a demeaning sense. I appreciate the concern you have for boxing and I sincerely believe that you do love the sport, and there have been some great, great championship bouts in your own State. Bozeman comes to mind, most, with Ghirardelli and with Gene Fullmer in the early days.

But I can tell you this, that any more than would the National Government consider bringing uniformity into the World Football League, the USFL, the National Football League; there is no one champion in those particular divisions. Baseball has had its problems. Basketball had several leagues. I did not see the Federal Government starting concern because they had the American Basketball League champion and they had the NBA champion. Boxing should govern itself in that regard.

Those that are believable to the public will make it. Those that are not will not make it. That is part of the system of free enterprise we have in this country, and I believe that. I think those will live and die on their own merits. I think the public will not be fooled in that regard. I do not think that such things as so-called ESPN title fights or CBS title fights, if you could call it that, or American Boxing Network title fights, are really going to cut it.

We do have a system of ratings and it is open, and all the ratings in every division are done, in the instances that I have been there, on an open floor and in an open forum. We do have a registry. Ring Magazine has one of the best. We do have a line of communication between the States. I think it could be better. I think that there are a lot of things we could do, but boxing is relatively new, in this century, if you think about it, because of television.

In the old days there were not nearly as many fights. Now it is a form of entertainment more than it ever was previously, and as a result you are seeing more and more boxers, more and more fights, and more and more notoriety when there happens to be a mishap in the sport of boxing. But that does not mean that a Federal commission could do any more to regulate that type of sport than the States could do themselves.

I think the Federal commission, if it were enacted, could do one thing primarily, and I think that should be its sole function: that is to bring more and stronger health standards to the sport of boxing, to force the States to get together to be sure that there are not deaths or injuries as a result of carelessness on our part. I think that if it had a sunset provision it might have a chance of support. I do not believe a permanent boxing commission will ever be an establishment in the immediate future.

Mr. WILLIAMS. I think, Mr. Rogich, that your notion of sunset commission, to which we have given a lot of thought since you first recommended it, has something to say for it. We would have to give it enough time. I do not know how long that is. We would have to, obviously, if we had a voluntary commission, you would have to give it enough time for people to volunteer to see how it is working. But I think you are on to something there and, as are your others, that is a very legitimate request.

Let me just say in closing, Mr. Chairman—I know the time is limited—Mr. Rogich, baseball and basketball and football do not need Federal regulation; that is clear. That is why we do not try to do it. They are league oriented. Boxing is not league oriented, and there is a terrific difference, and that is at the heart of boxing's problem. It has no way to organize itself.

The real TV showcase for boxing did not come in the 1980's, it came in the 1950's and early 1960's, and it did away with all of the little fight clubs, because people no longer had to go to the fight clubs. They could sit in the warmth of their living room and watch boxing on television. Television did to boxing what television is liable to do to a couple of other major sports; it just about destroyed it. Oh, a lot of money went into a few hands, but the little guys in the gym got hurt bad by the televising of boxing.

It just occurs to me that we do not have a good ranking and rating system. Now, you mentioned the WBC. If I remember correctly—and the WBC does the job you say they do—if I remember correctly the Boom-Boom Mancini-Doo Ku Kim fight was under the sponsorship of WBA. I use the word sponsorship loosely. I do not know what terms you use.

Mr. ROGICH. That is correct.

Mr. WILLIAMS. WBA had Doo Ku Kim listed as the No. 1 fighter in the world. I saw the fight. It was a good fight. Kim looked like he should be in there with Mancini and he was rated No. 1 by the WBA that promoted the fight. He was not even in the top 10 of Ring Magazine's rating, and in fact the editor of Ring Magazine told me in Washington, DC, he said: "We sent to Korea and asked them—just shortly before that fight, this is—and asked them to send us for that weight division the listing of their top 40 fighters."

They have a Government agency in Korea that decides the fighters' rankings. In the top 40 fighters Doo Ku Kim was not even listed among the top 40 fighters. Ring did not even get his name.

But for the purposes of that fight he was listed No. 1. He should not have been in the ring. He was in the ring for other reasons, not because he had fought his way up to No. 1. And boxing fans understand that. We need a way to protect the Doo Ku Kims until they can be legitimately ranked No. 1, until they can survive in the ring with a guy as great as Mancini.

Mr. ROGICH. I agree with that. I think the method to get to that is in question here today. There are instances, as you say, Mr. Williams, where those things have occurred. I do not deny that. But I still question whether a Federal agency is the methodology to use best, to bring that into being.

Mr. WILLIAMS. Thank you, Mr. Chairman.

Mr. MURPHY. Thank you. Mr. Richardson.

Mr. RICHARDSON. I do not want to get into an argument with my friend Sig because I think one of the things he said at the end shows a move in the right direction, I think, on your part, and you are certainly a leader in the State. And that is, you said that perhaps the function of the Federal commission of boxing limited to health and safety might be a start. Maybe that is where we should start.

Sig, with all due respect, I predict we will pass a bill this year. Now, Pat and I were not ready last time but I assure you that—I know you are a good politician too.

Mr. ROGICH. I do not necessarily claim to be.

Mr. RICHARDSON. Let me just follow up on the analogy that Pat made, that I think is critical here.

You have the commissioner of baseball and you have the commissioner of football. I think you cannot equate boxing and football and baseball because those sports have that regulation. Let me be very specific and it is a specific case that I know you have probably thought of.

Paul Horna, when he started betting in the NFL, he was banned. The crisis in baseball right now, with cocaine; et cetera. Steps are being taken, the commissioner has proposed mandatory drug testing.

I do not know if you saw a piece in the Miami Herald about a week ago, about the devastation by cocaine of Aaron Pryor. You must have seen it.

Mr. ROGICH. I did.

Mr. RICHARDSON. What do we do with saving the Aaron Pryors? What do we do about some mechanism to give him treatment? He is out there, a champion, one of the great fighters of all time, probably devastated because of this addiction. What can be induced to give him the treatment? Maybe Sig Rogich is interested and I know you probably are, but what is there in the Federal umbrella or the Olympic umbrella that can insure that there are no Aaron Pryors? He is a case, he is a champion. He can probably take care of himself; hopefully. But what about the young kid that does not have the facility or the financial ability?

This is what we are concerned about. We are just talking about a Federal commission, I think, that emphasizes health standards, that emphasizes health and safety, and does not go into the extensive who should fight and who should not fight.

What do we do, Sig, about mandatory drug testing? How can we insure that the Aaron Pryors do not, that he can be protected and that does not happen again?

Mr. ROGICH. Well, I think in Aaron Pryor's case you cannot do anything. His problems with drugs primarily came after he quit the sport of boxing. I think it is pretty tough for us to administer his life after he has dropped out of the sport.

Mr. RICHARDSON. Well, he has not quit, though, has he? He has not resigned his——

Mr. ROGICH. Well, for all practical purposes. He announced his retirement. He has not boxed since that time. I have to assume he has quit. There is potential for him coming back, they say, and we would address that problem at the particular time that he did decide to come back. But we do have mandatory testing for title fights in this State. We do not have it for all fights; I admit that. We do check the corners, we do check the water bottles, we do check and make an active effort to supervise and see that the drug problems do not occur.

The drug problems that you relate in boxing are minuscule. If you can tell me another instance, per se, other than Aaron Pryor where there has been such notoriety as has occurred in baseball or basketball or football.

Mr. RICHARDSON. Livingston Bramble.

Mr. ROGICH. Livingston Bramble is a case where we found a problem with a drug, and that was questionable, by the way. The determination came from our doctors. We fined him and suspended him. We acted accordingly, and we did it immediately. We took care of the Bramble case and we administered it ourselves. And as a result of that the States of Texas, California, New York, and others adhered to our suspensions and went along with it. And I think there were others that did too, by the way, Mr. Richardson.

Mr. RICHARDSON. In conclusion, Mr. Chairman, let me just once again assert—I do not know if Mr. Rogich heard this when he came in, but I think this State has been a model and I think if we had 50 Nevadas we would not have a problem, but we do not.

Mr. ROGICH. That is quite right.

Mr. RICHARDSON. And that is the core of the problem. We want to work together with you. We do not want to get into an instance where there is overregulation. We do not want to ban either. And when there is movement toward a ban and when the boxing negatives and polls—and I specifically refer to that USA Today poll. The negative on boxing is a little too high. I do not want it to get higher. I think if we work together we can come to a middle ground where perhaps your suggestion of a Federal commission just dealing with health standards might be the way to go.

I want to thank you and appreciate your hospitality.

Mr. ROGICH. I appreciate the opportunity. Thank you very much.

Mr. MURPHY. Thank you, Mr. Richardson. Mr. Leland.

Mr. LELAND. Thank you, Mr. Chairman. Mr. Rogich, you mentioned in your testimony that you thought that if Congress had to act, felt justified in acting, then we should have a sunset provision on a corporation or commission, as suggested in the legislation before us.

Would you then actively lobby and work with members of this committee and Members of the U.S. Congress to arrive at a reasonable compromise where a Federal commission on standards, patterned after the Nevada model, would be established for 5 or 10 years, in order to monitor what goes on? It seems to me that this is a reasonable proposition.

Mr. ROGICH. Well, it sounds reasonable. I cannot answer that until I knew specifically what you had in mind, but I would say that the commission should take no more than 3 years, if it was formulated in Washington. I think that it should limit itself to, not the regulation of rankings per se or the regulation of promoters per se or the regulation of who should box and who should not box, only as that pertains to health standards, I think, would be the avenue that should be most in your minds. I think that is what really brought Mr. Williams, Mr. Richardson, yourself, and others, Mr. Murphy, into this project. I think your concern was because of the brutality depicted by certain members of the press as it relates to the sport of boxing. And I think, particularly, because the AMA got involved at a level then, for the first time ever, in calling for the ban of the sport in such a vocal sense.

The banning of boxing is nothing new. They called for the banning of boxing in the 1930's, and the 1940's, and the 1950's, and the 1960's, and up to the present. So that is not a new proposition.

I think if you came forth with something reasonable only as it relates, and maybe in working with the AMA and our own doctors that have worked in the sport, of a system that would provide health and safety standards, then maybe you would have some consideration from the State commissions.

Mr. LELAND. Why do you say 3 years?

Mr. ROGICH. Because I think 3 years is long enough to formulate medical plans. I have watched this great Congress of ours formulate a plan to save Chrysler Corp. in 6 months. I think you could save boxing in 3 years.

Mr. LELAND. Mr. Iacocca saved Chrysler.

Mr. ROGICH. Well, I will not say this administration and Congress saved Chrysler.

Mr. LELAND. And Mr. Iacocca paid us back, did he not?

Mr. ROGICH. And we would pay you back too. I do not think that is unreasonable, sir. I think that something of that ilk is the only potential that you have for support from the States themselves. That is my——

Mr. LELAND. Let me ask you something. Why is there such a fear for the regulation in the other areas you mentioned?

Mr. ROGICH. It is not just such a fear of, per se, of what anyone is afraid of. My good friend, Jose Torres, appeared here before you in Washington, DC, and he and I politically probably have different points of view, and yet we are pretty consistent in our thought process as it relates to a national boxing commission. I echo a lot of what he said.

I do not believe, and nor do people in the boxing community believe, that those who have not taken part in the sport can regulate the sport, per se. I think you need some methodology for selection of a committee if you do such a thing, guaranteeing and assuring that we have people who have no conflicts, have no self-serving interest per se in the sport, but who have had some gym training, who understand what it means to be hit with a headgear on and without, who are willing to take the time and trouble to look into all of the research that has gone into boxing and come forth with a plan, are on that committee.

I think it sends a little chill up our spines to think that there will be someone back in Washington, particularly those of us in the west here, who are a little distant from Washington. I think it sends a little chill when we think that you might be telling us how to govern a sport, per se, that you have never worked in and never been active in, per se. Not that some of you have not, but some of those who may be on such a committee have not.

Mr. LELAND. But, Mr. Rogich, the reality is that while Members of Congress vote on foreign affairs matters, many of us have never traveled abroad. Nor do many of us know all the nuances of those elements involved in putting together a foreign policy. But we do have basic ideas and we have great resources available to help us gather, correlate, and analyze the information needed to produce a great foreign policy.

I am not suggesting that we have a great foreign policy now by any means, but——

Mr. ROGICH. I would argue with you on that point but that is not——

Mr. LELAND. I understand our differences, but that is not why we are here.

Mr. ROGICH. No, I understand that.

Mr. LELAND. Let me explain why I believe one doesn't have to necessarily be an expert in order to help develop policy. I am a pharmacist. I graduated with a degree in pharmacy from Texas Southern University in Houston, TX. I later decided I could help more people by serving in the Texas State legislature. I was elected to the Texas legislature and later to the U.S. Congress. I've served in Congress for 7 years, I know something about legislation, and the various issues that I deal with in Congress. So I am not sure I buy the story that you have to be an expert to participate in the development of policy regarding the safety, the rules, and regulations of those sports that are dangerous, to the health of the people.

Mr. ROGICH. Well, assuming that that is correct, I think you would go a long way—let me put it a different way, from the diplomatic standpoint, to bring people into the sport, that at least we had confidence knew the sport, and had had some background in the sport, even to the degree that we had some assurance that the States would have direct input if such a commission were ever formulated in Washington, DC.

I just think that the primary purpose of this committee in its inception was because of the health standards in boxing. That was the primary concern, I believe, when it started, in everything that I have read. I do not believe it was to get into ratings. I do not believe you want to sit in Washington and determine who should be No. 1 or 2 in the rankings, anymore than I think you want to determine what is a good match. That is for the matchmaker, that is for the promoter, and that is for the States to determine themselves.

I think as long as we have some uniform standards to assure that we are using the same equipment, to assure that we are taking the same antidoping test—to answer your question, Mr. Richardson—to assure that the boxer is protected, to assure that the symbolism of boxing maintains itself. After all, it is a sport that grew as a symbolic gesture for minorities, primarily, for blacks, and for the Irish, and for the Jewish boxers in this country——

Mr. LELAND. Some of them. I am a coward.

Mr. ROGICH. So that is what I think the sport of boxing is all about, and I think that is what you have to address.

Mr. WILLIAMS. Mickey, would you yield to me for 1 minute?

Mr. LELAND. I would be glad to yield to you.

Mr. WILLIAMS. You are correct in saying that this bill is, the particular bill we are hearing here today—Mr. Richardson has a similar bill—but this particular bill does have as its main purpose the health and safety of workers in their workplace. These particular workers happen to be boxers. Their workplace, the ring. But we see rankings, ratings, as a significant part of that health. Witness the Doo Ku Kim; some think it was a mismatch, some think it was not. But here is a guy that had barely fought out of his hometown and suddenly he is in the United States fighting. So we think rankings and ratings are part of it.

Now, let me ask you, have you been involved in the past as a promoter, a boxer, and professionally?

Mr. ROGICH. No.

Mr. WILLIAMS. Well, you see, we want people like you on the board, and so we do not want to limit it just to people who have been involved in the ring or as ringside physicians, promoters, or managers. We say there shall be a board of six. At least three of them have to have that qualification. They have to have been actively involved in the profession. Now, maybe all six, but we say, at least three. And then we leave room, we leave flexibility for people like you. But we put a requirement on it. We say, each other member of the board, be it one, two, or three, shall have a broad understanding of the relationship between professional boxing both as a sport and as a business, and the public interest.

I think we have defined your ability there. So, this board, I think, is as you would want it. We spent a lot of time trying to determine what the criteria for the members ought to be.

Thank you, Mickey.

Mr. ROGICH. Thank you.

Mr. MURPHY. Thank you very, very much, Mr. Rogich, and thank your fellow commissioners and counselor for joining with us this afternoon.

Mr. ROGICH. I appreciate the opportunity. Thank you.

Mr. MURPHY. We look forward to seeing you again.

The next witness we have is the young man back there. He is the former heavyweight champion, Ken Norton. Mr. Norton, would you come up and give us your insight as a man on the inside?

STATEMENT OF KEN NORTON, FORMER HEAVYWEIGHT CHAMPION, LAS VEGAS, NV

Mr. NORTON. Well, first of all, all my opening statements have been used so I will not use them anymore. Second, I think that basically it is a very good idea.

One thing was not addressed. The safety was and everything else was, but what about when an individual retires? What does he do then?

I was very fortunate, relative to business I have done very well, but what about the individual who does not have that qualification or who cannot do it? There are a lot of things involved.

The bill is good as I see it, basically. Nevada is a very good State to fight in. I have fought here quite a few times. Everything is perfect, as I can see it. But also, what about the individual, again, who does not make it big in boxing and where does he go when he finishes, and with what?

So, basically, this will be Q&A with us, I guess, because as I stated before——

Mr. MURPHY. Are you suggesting, Mr. Norton, that we should have some system of a national fee or a fee on boxing or something to create a fund.

Mr. NORTON. Not really a national fee, sir, but say, out of each purse a portion will be taken out and put aside.

Mr. MURPHY. Into a——

Mr. NORTON. A fund.

Mr. MURPHY [continuing]. A pension fund?

Mr. NORTON. True.

Mr. MURPHY. Mr. Williams.

Mr. WILLIAMS. Mr. Norton, as a boxing fan I welcome you here and you have given me a lot of minutes of enjoyment. The bill before us, H.R.1689, has as one of its principles the granting to the corporation the right under its own auspices, as it sees fit, to establish a pension system for retired boxers.

Now, that is obviously going to be difficult, particularly until we find out who all the retired boxers are, or the current boxers are. We do not even know that yet. But, nonetheless, I think you are right on the money.

It seems to me that too many fighters are literally discarded at the end of their career in what may be the most demanding professional sport in the world, and I think the sport itself owes them more than that. So we are hopeful that this commission would be able to find a way, probably through set-aside of gate receipts or purses, to establish a pension system.

Let me ask you, in your active career do you recall having had any concerns, not with regard to how you were ranked or rated, but do you recall having any concerns about the ranking and rating system of the various commissions and States and organizations that rank and rate boxers was done? Was that a problem for you?

Mr. NORTON. It was not a main concern of mine, a main problem, but I did think about it quite a few times, yes. In the fight which came up before, with the young Korean man, Doo Ku Kim, whatever his name was, and second, when I was coming up in the rankings, a couple of guys that I had fought I had big questions about.

Mr. WILLIAMS. Questions as to whether or not they should have been fighting you?

Mr. NORTON. Questions as to whether they should have been fighting me, questions as to where they came from, questions as to why was a man who only weighed 178, 180 pounds, 190 pounds fighting me, and I was weighing 220.

Mr. WILLIAMS. Mr. Chairman, you and the folks here may remember, not too long ago, in Norfolk, VA, a fight was going on that gave a perfect example of how we do not know who is who in the boxing business. It was a televised fight, and the fighter in one corner took off his robe, and the police authorities spotted a tattoo—remember this?—spotted a tattoo that identified him as an escaped felon. They arrested the poor guy after the fight. He lost the fight, then they arrested him, so it was a tough night. But is that how we register fighters in this country, by their tattoos because all they have to do is change their name, fight in another town, and lo and behold, they are a new person with no record, or a 21 and 0 record? That is how we do it today. I think that means boxing has failed, particularly in the lower ranks of the profession.

Thank you, Mr. Chairman.

Mr. MURPHY. Mr. Richardson.

Mr. RICHARDSON. Thank you very much. Mr. Norton, I want to thank you for endorsing this bill. I think it is important. I know you are representing the Retired Boxers Association, is that correct?

Mr. NORTON. No, I am representing just me. That's it. But those are just my thoughts. There are a lot more people who think differently. But the point being that, as I stated before, I was very fortunate.

Mr. RICHARDSON. Well, I think your concern about the pension system, in the three bills that have been introduced, that Congressman Williams and I, and Congressman Dorgan, we all have the enactment of these pension systems, so that boxers can have something when the fight game is over to look forward to.

Mr. NORTON. That along with the health plan, it's very important, yes.

Mr. RICHARDSON. That along with the health plan?

Mr. NORTON. Yes.

Mr. RICHARDSON. Let me ask you a question about promoters, the issue of when you were a fighter. Do you see the sport, in your judgment, is it good that it is controlled by two or three promoters? We have Don King, we have Bob Aram. Do we need more diversity of promoters, or do you think this needs to be reformed or changed?

Mr. NORTON. First of all, I would say that as far as dealing with Don King, whenever he gave his word to me he kept it; that is what it was. But then, again, I think that there should be more promoters; yes. Because, this way, the fighting at the present time, boxing is basically controlled by two or three individuals.

Mr. RICHARDSON. Would it be healthy if that expanded to more——

Mr. NORTON. Quite a bit; yes.

Mr. **Richardson**. What about the role of the networks? Do you occasionally do some work for a network? I do not want to get you in trouble.

Mr. **Norton**. I used to. I cannot get in trouble. I am my own man. [Laughter.]

Mr. **Richardson**. Do you find that the networks have been concerned about health and safety? Pat mentioned, and I agree with him, that mismatch of Duk and Mancini, and there is the other famous one, Larry Holmes and Tex Cobb, and we could go on and on. On the other hand, there have been some outstanding fights that, although you mentioned earlier the disparity in weights, I hope—the fight tomorrow, I understand there will be quite a weight disparity, but Michael Spinks, fortunately, is an outstanding fighter.

Do you see right now the networks playing a positive role in researching the records of fighters, in looking for the best possible match? How would you rate their safety record in terms——

Mr. **Norton**. I could not really answer that because I do not know. I was involved quite a few times with the broadcasting of bouts, but as far as knowing how they go about getting the bouts, I do not know. And I saw where Dr. Pacheco is there, so I am sure they do it well.

Mr. **Richardson**. Mr. Chairman, I have no further questions except to congratulate Mr. Norton and wish him the very best. I think his statement has been constructive. Hopefully we can get you involved in this commission. Thank you.

Mr. **Murphy**. Thank you. Mr. Leland.

Mr. **Leland**. Thank you, Mr. Chairman. Mr. Norton, I appreciate your participation today. I'd like to add that I have been a fan of yours for years and miss you in the ring. I wish you were back.

Mr. **Norton**. I do not miss being there.

Mr. **Leland**. I should then not try to encourage you back in the ring. I've watched your excellent work on the screen. I hope you will return to the screen. Thank you, Mr. Chairman.

Mr. **Murphy**. Thank you. Thank you very much, Mr. Norton. We have enjoyed having you with us today.

We will now have a panel of three witnesses, all with similar connections with the boxing sport. Col. Harvey Schiller of the Amateur Boxing Association, from Colorado Springs; Mr. John Holladay, South Carolina, deputy boxing commissioner of South Carolina; and Senator Joseph Montoya, chairman of the Select Committee on Licensed and Designated Sports in the California Legislature.

Gentlemen, if you would please take the rostrum. Senator Montoya has a plane to catch so if you will permit us, Mr. Schiller, we will let Senator Montoya proceed. Senator, you may proceed.

STATEMENT OF SENATOR JOSEPH B. MONTOYA, EL MONTE, CA, CHAIRMAN, SENATE SELECT COMMITTEE ON LICENSED AND DESIGNATED SPORTS, CALIFORNIA LEGISLATURE

Senator **Montoya**. Chairman Murphy and members of this committee, it is a pleasure to be here with you today. I should indicate that although I came as the chairman of the Select Committee on

Licensed and Designated Sports, I do have the chairmanship of the Standing Committee of the California Senate of the Business and Professions Committee, which has legislative oversight over the matters that we are talking about here today.

Mr. **Murphy**. I used to chair that in the State House of Pennsylvania.

Senator **Montoya**. A good committee, I assume like that in California. I am reminded by committee member Williams of how far back his boxing experiences go. I remember as a preteeny bopper the Lewis-Walcott fight on radio, and I guess the first televised fights that I remember seeing, I guess they were the old Gillette fights, were the Kid Gavilan fights in what must have been the late 1940's. So, I am an aficionado of boxing, and for the last 4 years I have had this select committee which, as a select committee, allows my staffer or consultant, Kathy Summerton, to do a lot of research without having to worry about legislative hearings in the standing committee on a day-to-day basis, and we do have quite a bit of experience, some of which I hope is relevant and I would like to share with you today.

I do wholeheartedly support H.R. 1689, or any of the other measures that are before the Congress, which would create the American Boxing Corp., an oversight body at the national level.

A national commission is not only desirable but needed. It is a fact that some boxers who have become fatalities have been as a consequence of nobody really having the correct information, the responsibility, or the oversight for what is going on in other States.

One of the many voids a national oversight commission would fill would be the development of a national rating system. There needs to be a serious examination of how the WBA, WBC, and IBF set up their own rating standards. A national commission would need to have impartial members on that rating committee, which is some distance from what is being done right now at the aforementioned institutions.

These organizations do not appear to be interested in the safety of participants as much as an impartial commission would be. There is an unhealthy competitive advantage that can be gained by the existing organizations in their ratings, in their matches, and in their sanctions against individual boxers.

A national rating system would tend to reduce the number of mismatches. Matchmaking is probably the single most contributing factor to injuries in the ring, injuries and deaths. There are many horror stories about mismatches. Just one example of that comes to mind.

Glenn Corbus, San Jose, CA, 1983, fought Frankie Valdevia, both prior amateurs making a debut in a six-round professional fight. Corbus' record was 108 amateur fights, 70 knockouts. Valdevia's record was 15 amateur fights, no reported knockouts. Corbus completely controlled the fight and there were many gross violations. This was testimony that was given to us by Steve Vendor who is a freelance boxing journalist, in a hearing that I held on July 21, 1983.

That fight should have been stopped. If there were national rating standards these two would never have been matched. There are, of course, other stories relating again to some of our personal experiences.

Does anyone remember the Pete Rademacher versus Patterson fight, in which Rademacher was an amateur, I think fought in the Olympics and as a consequence of that was able to fight the heavyweight champion? What about the very recent Frazier—and I am talking about the son—versus Larry Holmes? Obviously, that could not have happened if we had had a rating system that was adhered to.

Another point that I want to make concerns the practice of allowing managers and promoters to set up one hard fight after another for a boxer. The boxer fights in Nevada, takes a lot of head punches—3 or 4 weeks later he is fighting in California, and 1 month later somewhere else. It is this relentless scheduling of fights like this that cut short a fighter's career.

Moreover, a commission or corporation on the national level would control the undesirable practice of permitting a boxer who has had his license stripped in one State from fighting in another State.

I believe professional boxing is here to stay, although it is not an establishment sport. The truth is that boxing has always been an opportunity for the poorest of the poor, whether they are white, brown, or black. All you have to do is look at the background from where virtually all of these young men historically have come from, and you will find that there is definitely the potential that many might have been a burden in terms of the penal or welfare institutions of our country.

The positives provided by boxing for these people are a legitimate means to earn money, to earn recognition, and to gain self respect. So there are very many positives that are hard to measure. Boxing does create an outlet, and for some it has created a fantastic opportunity to succeed.

National and international regulatory controls and public scrutiny are vital to the survival of professional boxing. In order to prevent boxing mismatches, serious injuries, and organized crime intrusion, Federal oversight is paramount. There must be an organization at that level that can make decisions free of economic considerations and bias or favoritism.

California is viewed by many as having some of the most stringent standards of any State. We are losing fights as a consequence. Promoters are going to other States where commissions are much more lax or nonexistent.

Recently I introduced S.B. 1324 which is a rewrite of our California Business and Professions Code relating to boxing. It is an update and one that brings clarification of existing law. I have also authored numerous reform bills over the last 3 years. Some of these were chaptered into law and accomplished the following mandates.

S.B. 1415 a couple of years ago mandated the use of a safety glove, a thumbless glove, or a conventional-type glove where the thumb is attached. This law also mandates that the ring floor and padding meet newly established standards and specifications.

S.B. 764 increased the number of members on the State athletic commission from five to eight, to increase and broaden participation.

One bill which did not pass but we will continue to pursue, challenged the California Legislature's definition of conflict of interest. This bill would have prohibited someone who is licensed by the California State athletic commission from being appointed or serving on the commission in obvious and clear conflict of interest.

I am glad to see that Congressman Williams and some of you who are coauthors have addressed this issue in this bill. I believe it is an important issue if you truly desire to build a respectable commission or corporation.

Boxing is a permanent fixture as a professional sports establishment in this country. Unlike most other sports, its internal regulatory agencies are fragmented. Its participants are supported in a piecemeal fashion with insufficient consideration given to their safety, overall well-being, and equal opportunity based on ability. The industry has great inherent risk to its participants. With proper regulation this risk can be reduced significantly.

Boxing needs to be elevated to the same standard of fairness and safety as other professional sports by a unified oversight commission.

I would like to share with you some additional thoughts as a consequence of having been here and having heard the previous testimony, and also address myself further to H.R. 1689.

I think, to deal with the bill itself, the matter, Mr. Williams, of whether you have six or seven members is not necessarily as consequential or as important as how you proscribe the opportunity for people to participate.

I believe that to have a commission or a corporation which is going to have some oversight you indeed do have to have people with some expertise. I think the important thing which perhaps is not yet in 1689 would be that if in fact you are going to have practitioners who are just recently removed from involvement at one level or another, is that you have the clear conflict-of-interest provisions, which you do, but that additionally any tangential interest might be disclosed and filed with that commission.

I think perhaps one of the other matters that has to be dealt with is the question of what kind of a majority, or should it take an extraordinary majority of the six members or seven members for the commission to govern its behavior and set down its policies.

I think that perhaps the way that you would buy some safeguard is to have an extraordinary majority of that membership setting the standards and regulations by their votes.

I would like to just browse through here. The issue that you have on page 2, on the matter of "shall be a citizen of the United States," again I would just ask this committee to consider that boxing, more so than just about any other sport, is in fact an international sport, and I do not think that this commission or corporation should necessarily deprive itself of some international expertise or, that is to say, at least the participation of people who may be residents of the country but who may not necessarily be citizens. So I would just ask you to consider that.

I think on the issue that the individual "shall not have any pecuniary interest in the earnings of any boxer or proceeds or outcomes of any boxing match," again I think that perhaps there can be some kind of sanction that the commission or the corporation might have. I think if you have a law that has no teeth or that someone is not going to pay a consequence, that it will make those provisions all that more difficult to enforce.

I think on page 4 on the matter of helping to establish model State boxing commission standards and provide financial and technical assistance to help them comply with the standards, perhaps if in fact in some of these States there are not athletic commissions as we know them in California and New York, Nevada, or other States, perhaps there could be some reference at least to the fact that that authority to govern, if you do not want to creat a commission in some of these smaller States, that that authority, however, to oversee and to regulate, be vested in some existing commission or board, or let us say, under the attorney general of that State, or however it might be worded.

I think, again, the matter of a national rating system is one of the most important things that this commission could do. I think when you consider what is being done in professional football, and you have computer sport, and you have the same situation in tennis where they can give you a ranking from one to 600 or 700, or 800 or whatever, whatever it might be but I think it goes at least to 500 in tennis.

The expertise is here, the technology is here. That can easily be done, and obviously that cannot be done unless you establish first of all some kind of a registry and then secondly some kind of an overall governing mechanism.

I think one of the important things that has been mentioned here today that I would like to chat briefly with you about are, No. 1, the notion of a sunset provision.

The testimony that I had mailed to you is somewhat different than what I have presented, so here is for counsel a copy.

I think that the notion of a sunset provision is very, very good, and should be considered. No. 1, because there is a certain accountability that I think accrues when you have a sunset provision. You must rejustify, if you will, the existence of that if in fact you were going to wipe out sunset provisions, or if you were going to wipe out this commission in a period—and I would venture to tell you that rather than 3 years it should be 5 years.

My feeling is that the national Congress does take a long time to get its wheels in motion by virtue of its deliberativeness and I think that that is good, but it would mean, really, that you would have a commission in place, not too much longer after it was really constituted and perhaps working in good shape, so I think that you might talk about a period of 5 years.

The other thing that I think you should stay away from that we have heard about today is the idea of boxing pensions or some kind of a retirement for boxing, not because it is not a noble idea, not because we do not have a semblance of one in California, but because I think by virtue of this—first of all, you have to find out who the players are, how many people there are out there, find out what the burdens, what the numbers are, what actuarials would show. I think it will take a period of time and I think the idea of dealing with a pension system or a retirement system would be unduly burdensome at this point in time.

One last point that I would like to leave you, before you have perhaps some questions or before these other gentlemen testify is, I think it is very critical that there perhaps be some statement—I think that you have a real potential conflict of interest and I think, today, there is a conflict of interest in the fact that networks do have a direct benefit accruing to them as a consequence of the fights that are going on, with the various networks.

So, I do not know how you might want to deal with that as a committee, but I think it would be important that the networks not have a participation, if you will, in these matters.

[The prepared statement of Senator Joseph B. Montoya follows:]

PREPARED STATEMENT OF HON. JOSEPH B. MONTOYA, SENATOR FROM THE STATE OF CALIFORNIA

I wholeheartedly support HR 1689 which would create the American Boxing Corporation—an oversight body at the national level.

A National Commission is sorely needed; it is a fact that boxers who have become fatalities have been as a consequence of nobody really having the correct information, the responsibility or the oversight for what is going on in other States.

One of the many voids a National Oversight Commission could fill would be the development of a national rating system. There needs to be a serious examination of how the WBA, WBC and the IBF set up their own rating standards. A National Commission would need to have impartial members on the rating committee which is a far cry from what is being done right now with the WBA, WBC, and the IBF. These organizations do not appear to be interested in the safety of the participants.

A national rating system would greatly reduce the number of mismatches. "Matchmaking is probably the single most contributing factor to injuries in the ring—injuries and deaths. There are horror stories after horror stories about mismatches. One example that comes to mind, Glenn Corbus (San Jose, California, 1983) fought Frankie Valdevia, both prior amateurs making a debut in a six round professional fight. Corbus's record was 108 amateur fights with 70 knockouts; Valdevia's record was 15 amateur fights—no reported knockouts. Corbus completely controlled the fight and there were many gross violations. (Steve Vendor, freelance boxing journalist, professional boxing interim hearing, July 21, 1983) the fight should have been stopped. If there were national rating standards, these two would never have been matched.

Another point I want to make concerns the practice of allowing managers and promoters to set up one hard fight after another for a boxer. The boxer fights in Nevada, takes a lot of hard head punches then, three or four weeks later he is fighting in California, and a month later somewhere else. It's the relentless scheduling of fights like these that cut short a fighter's career.

Moreover, a commission or corporation on the national level would control the undesirable practice of permitting a boxer who has had his license stripped in one State from fighting in another State. I believe professional boxing is here to stay. It is not an establishment sport. The truth is that boxing has always been an opportunity for the poorest of the poor, whether they are white, brown, or black. All you have to do is look at the backgrounds from where these young men are coming from and you will find that there's definitely the potential, that many could be a burden in terms of our penal and welfare institutions. The positives provided by boxing for these people are; a legitimate means to earn money, to earn recognition and to gain self respect.

So there are benefits that are hard to measure; boxing dos create an outlet and for some it has created a fantastic opportunity to succeed.

National and international regulatory controls and public scrutiny are vital to the survival of professional boxing. In order to prevent boxing mismatches, serious injuries and organized crime intrusion, Federal oversight is paramount.

California is viewed by many as having some of the most stringent standards, of any State. We are losing fights, promoters are going to other States where commissions are much more lax or non existent.

Recently, I introduced SB 1324 which is a rewrite of chapter two, division 8, of the California Business and Professions Code, relating to boxing and wrestling. Our interest here is to clarify existing law, plug the loopholes and bring them up to date.

I have also authored numerous reform bills over the last three years. Some of these that were chaptered into law accomplished the following mandates. SB 1415 mandates the use of the safety glove, a thumbless glove or a conventional type glove where the thumb is attached. This law also mandates that the ring floor and padding meet newly established specifications and standards.

SB 764 increased the number of members on the State athletic commission from three to five to constitute a quorum.

SB 766 established standards and enforces training for inspectors and doctors.

One bill which did not pass, challenged the California Legislature's definition of "conflict of interest." This bill would have prohibited someone who is licensed by the State athletic commission from being appointed in serving on the commission.

I am glad to see that Congressman Williams has addressed this issue in his bill. I believe it is an important issue if you truly desire to build a respectable commission or "corporation."

Boxing is a permanent fixture in the professional sporting establishment of this country. Unlike most other sports, its internal regulatory agencies are fragmented. Its participants are supported in a piece meal fashion with insufficient consideration given to their safety and overall well being. The industry has great inherent risk to its participants, which with proper regulation, this risk can be reduced significantly. Boxing needs to be elevated to the same standards of fairness and safety as other professional sports by a unified, national oversight commission.

Mr. MURPHY. Thank you very much, Senator. Col. Harvey Schiller, a professor at the U.S. Air Force Academy and a member of the board of directors of the U.S. Amateur Boxing Federation.

Colonel SCHILLER. Thank you, sir.

STATEMENT OF COL. HARVEY SCHILLER, PROFESSOR, U.S. AIR FORCE ACADEMY, COLORADO SPRINGS, CO; AND MEMBER, BOARD OF DIRECTORS, U.S. AMATEUR BOXING FEDERATION

Colonel SCHILLER. Thank you again for the opportunity to appear, especially before this committee that is concerned with labor standards. I think that is very important, to address the workplace of so many young people today.

Mr. Murphy, Mr. Richardson, Mr. Williams, we as the Amateur Boxing Federation are definitely behind, not just your proposal, Mr. Williams, but yours as well, Mr. Richardson.

I am sorry that Colonel Hull who is the President of both the Amateur Boxing Federation and the International Amateur Boxing Federation is not able to attend the hearing but I do speak for him and all of our members in our endorsement of the proposed legislation.

You have my prepared statement. I would like to deviate just from that a bit probably to save some time.

In response to some of the comments made by the people present from the State of Nevada—and they do run a great program there, both amateur and professional. I would disagree, to begin with, in terms of some of the comments that may have hinted at technological advances in professional boxing.

First, except for I think two studies that have been supported by the State of New York and their boxing commission, I know of no other in the United States, either on a medical scale, an equipment scale, or any other. Every advance in boxing, from equipment, from headgear, from the glove padding itself to the ring material, to the ropes, even the rules, has come out of the amateur arena.

In terms of the comments made about voluntary compliance, we have in some states been exposed to some civil litigation that has involved injury in the ring. I do not think that it will be any different if that occurs with the professional. Those that do not comply or are not sanctioned will be setting themselves up for what is not really the state of the art in the sport, and they will have to suffer the consequences for that. And I do not think that can be maintained for very long.

I would also disagree with some of the comments made about, we need to do something to save the boxers in the sport today. Because I am concerned about those, but I am also concerned about boxing in the United States, whether it will exist or not. Registrations are down all around the country, not just in the amateur ranks but in the professional ranks. Some of it is a direct result of the AMA statement. Some are the result of other things. And that is especially strange after the success in the Olympic Games of our amateur boxing, because normally there is an increase in particular amateur sports that win more gold medals in the Olympic Games.

I do not want to deny the opportunity to box for any young American. I think they should have that, and I think that if we do not pass this legislation and pass it soon, we may put ourselves in that particular position.

In regard to whether there should be some national kind of commission, as this corporation suggests, remember the National Sports Act of 1976 which was alluded to in terms of the umbrella of the U.S. Olympic Committee. There are over 30 national governing bodies right now under that umbrella. They are autonomous in lots of ways but at the same time they have to give each athlete the opportunity to participate and a whole host of other rules. I think that would be very similar, in the regard of this particular legislation.

Some reference was made to the Olympic Tournament by Dr. Romeo, and he was a member of my staff. I was the Director of Competition for that tournament.

We did not have one single serious injury in that tournament. I need to mention that we did have some mismatches. We did not have a ranking system. There were 82 countries that were involved, and because it is an open tournament—this is different from lots of other Olympic sports—anyone from any country could have entered from that particular country. So we did have some novices, and we had some people with over 300 bouts as well. We also had some people who tried to enter the tournament with injury. Our screening system prevented that on the prebout physicals, on the initial medical examinations.

But the most dramatic interference of all was the presence of the referee. We had almost 60 bouts that were stopped by the referee, and I think that this type of corporation will establish a national standard for officials as well. That is probably one of the more important elements in regulating the so-called mismatch situation. We have all viewed those particular times when the bout was stopped too late instead of too soon. We feel that a bout can never be stopped too soon.

Thank you.

[The prepared statement of Colonel Harvey Schiller follows:]

PREPARED STATEMENT OF COL. HARVEY SCHILLER

I am Col. Harvey Schiller, Permanent Professor at the U.S. Air Force Academy. I am a member of the Board of Directors of the U.S. Amateur Boxing Federation, Chairman of the Games Preparation Committee of the U.S. Olympic Committee, member of the Executive Committee of the NCAA, and Chairman of the Air Force Academy Association. In 1984, I served as Director of the boxing competition for the Los Angeles Olympic Games.

I am sorry that Col. Don Hull, President of both the U.S. and International Amateur Boxing Federation is not able to attend this hearing.

I speak for him, the thousands of boxers, coaches and officials who represent amateur boxing in the United States, and Local Boxing Committees in every state in our support of Mr. Williams and H.R. 1689 to create an American Boxing Corporation.

Mr. Williams, we are behind your proposed legislation and anxiously await its passage. We will help in every way possible to insure its success. This bill will create the structure that is now lacking in Professional Boxing. We have submitted to you a program outline describing our organization. In addition, just as your bill proposes, we have supported, and now have underway, a wide range of projects to protect our athletes. I've included a list for your review. Included is a study, which will be partially funded by the U.S Olympic Committee, by Johns Hopkins which will investigate if any risks are associated with amateur boxing. The study will try to determine if excess risk exists when compared to other sports and determine the benefits associated with the sport.

We believe the membership of the Board of Directors of the Corporation should include a representative from Amateur Boxing. Amateur Boxing is the "College" of Professional Boxing. Most amateur boxers do not turn professional, but for those who do, we have provided them with the education, training and medical review to insure their success as both citizen and professional.

Boxing today lacks the national structure which exists in every other professional sport. Without structure, boxing is no more than an unregulated street fight between ropes. No national standards, no reason to take advantage of technological advances, and poorly refereed bouts have brought criticism to a great sport. In 1984, the imagination of the U.S. public was captured by the performance of our boxers in the Los Angeles Games. In those thirteen days of competition, 360 boxers competed in 345 bouts without a single significant injury. Over a thousand rounds of boxing before the eyes of the world matching athletes from 82 countries. The success of this tournament was an organization which had a system of registration, pre- and post-bout examinations, and most important—trained officials and referees. Referees stopped 58 contests before injury could be inflicted. Trained physicians were available at ringside, and only officials who performed correctly were allowed to continue their duties. I believe the new American Boxing Corporation will provide the necessary organization to capture this same "Olympic" spirit. The public will be provided an exciting and safe sport, and most importantly, athletes will have the opportunity to be champions–whether they win or lose.

BIOGRAPHICAL SKETCH OF COL. HARVEY W. SCHILLER

Colonel Harvey W. Schiller is Permanent Professor and Head of the Department of Chemistry at the United States Air Force Academy. Permanent Professors are appointed by the President with the advice and consent of the Senate to provide permanent leadership at the Academy. The few officers selected must have an outstanding record of superior leadership, professional experience, and administrative skills.

Schiller was a Distinguished Graduate of the Citadel in 1960. He graduated from the University of Michigan with a Master of Science in 1962 and Doctorate in Chemistry in 1970. His research interests include the chemistry of phosphorus-phosphorus bonds and educational projects.

Schiller completed Air Force pilot training in 1963 and has served in over 15 different operational and scientific assignments both overseas and in the United States. He has extensive leadership experience in the areas of personnel, budget and cost control including congressional and labor/mangement activities. He has authored numerous publications and has extensive public speaking experience.

Schiller is Chairman of the Air Force Academy Athletic Advisory Committee which manages one of the largest athletic programs in the United States. He is the Faculty Representative to the NCAA and Western Athletic Conference. He is a member of the NCAA Executive Committee, Chairman of the Council, Code and finance Committees of the Western Athletic Conference, and member of the College

Football Association Faculty Board. He has been active in numerous sports as player, coach, official and administrator.

In 1984 Schiller was Consultant to the Los Angeles Olympic Organizing Committee and Director of Competition at the Los Angeles Sports Arena during the 1984 Olympic Games. He is Chairman of the Games Preparation Committee of the U.S. Olympic Committee, a member of the U.S. House of Delegates and Board of Directors of the USA Amateur Boxing Federation. He has served as director for World, National, Junior Olympic, National Sports Festival, and collegiate athletic competitions, 1983 Pan American Team Manager, and Department of State technical advisor to Kenya. He most recently was responsible for all corporate fund raising and advertising for the Live Aid Concert in Philadelphia, an effort which raised more than $70 million in support of African famine relief.

Schiller is a Command Pilot with over 3,600 flying hours and holds a parachute rating. He is a graduate of the Armed Forces Staff College, Industrial College of the Armed Forces, Air Command and Staff College, and numerous technical and professional courses.

He and his wife, Marcia, are the parents of two children, daughter Erika, 17; and son Derek, 15.

SUMMARY OF THE USA AMATEUR BOXING FEDERATION'S PROJECTS AND STUDIES

The USA Amateur Boxing Federation (USA/ABF) is the national governing body for Olympic boxing in the U.S. As such, USA/ABF is responsible for the administration, development and promotion for amateur boxing in the USA. To attain these goals. USA/ABF is a national organization with 57 local groups that oversees amateur boxing in accordance with the guidelines established by the Amateur Sports Act of 1978 (Public Law 95-606). The main concern of the Federation is the protection of its athletes, so its rules and organizational chart is geared to meet those needs. An outline of the organization and its rules is attached. (Enclosure A)

To ensure the protection of its athletes, the Federation has endorsed a number of projects and is seeking funding for many others. A not-for-profit corporation, USA/ABF does not have the financial base to underwrite the costs of the many programs and projects it would like undertaken. The following is a brief summary of the various studies and programs.

Medical studies and proposals

1. Johns Hopkins Medical Institutions' Epidemiology Department study on amateur boxing: To determine if in fact any medical risks are associated with the sport of amateur boxing, USA/ABF has endorsed a four-year, prospective study on amateur boxing. The study will be conducted by the Johns Hopkins Medical Institutions' Epidemiology Department. During the four years, the group will test and analyze over 200 boxers as well as the same number of football players and track and field athletes as control groups. Before the testing, the athletes will take a battery of test to determine the baseline measures. This step alone eliminates the inherent problems of many previous studies as does the size of the sample group.

The study is so designed to also analyze if any of the medical risks are "dose-related."

The four-year study has a price tag of $1.1 million plus another $200,000 in equipment. The U.S. Olympic Committee (USOC) has indicated its willingness to assist USA/ABF in funding the study through the U.S. Olympic Foundation. The Federation is actively seeking other groups to assist in funding this necessary study.

2. Computerized medical history: The Federation is seeking to improve its current medical history and tracking system. On a pilot basis, the Federation is reviewing a computerized medical history system that used a micro-chip card. The system would allow a physician immediate access to an up-to-date medical record of a boxer and provide him with all necessary background information. This system would further guarantee that a boxer does not box until any suspension periods are over.

The pilot program is in its final stages of preparation and will involve around 200 boxers. The start-up cost is $8,000. However, to implement the program for the entire athlete membership, the cost is around $750,000. The pilot program is being explored for aiding with the remaining cost.

3. Psychological and psycho-socio testing on boxers: Col. John Anderson, PhD, a sports psychologist who has worked with a number of the country's top amateur boxers, has designed a study to examine the psychological and sociological effects of boxing. While many attribute testing has ever been done. This program is awaiting funding approval from the U.S. Olympic Committee's Elite Athlete Program.

4. A study of the most effective glove currently in use: Dr. Anthony Storace of the New York College of Medicine has submitted a study to look at the most effective glove in use. The proposal has been submitted to the U.S. Olympic Committee on Equipment and Technological Developments for approval and funding.

5. A study to determine the best design, materials and coverings for gloves: Dr. Voight Hodgson of Wayne State University has been conducting on-going research on boxing gloves. His most recent proposal is to determine the best and most efficient materials from which to construct boxing gloves for optimum protection. This study also pending funding for the Olympic Committee's Committee on Equipment and Technological Developments.

6. NMR testing on boxers: Dr. Robert Cantu, a neurosurgeon studying boxing for the American College of Sports Medicine, has suggested a protocol for boxers to be examined by a NMR scanner. Dr. Cantu believes this test may be the best way to gauge the effects on the brain. This project is currently on hold until funding can be identified.

7. A study of the biomechanics of boxing: The Biomechanics Department of the U.S. Olympic Committee is interested in investigating the biomechanics of boxing. This research could reveal the rotational effect of different boxing blows as well as better training and coaching techniques to lessen the probability of injury. This study is also pending funding and manpower.

8. A morbidity/mortality ratio for the boxing and the population at large: Johns Hopkins has the capability to compare the morbidity/mortality rate in boxing to the general population at large. This would show if in fact more deaths/accidents/etc. happen in boxing than the general population or not. For example, the study would determine if there is a higher incidence of subdural hematomas in boxing or the general public. This type of study would put any boxing statistics in the proper and calculable perspective. This study is ready to go but lacks a funding source.

Ancillary projects

The following are some projects and programs that we believe would better educate and prepare our members for boxing and the world outside of amateur boxing.

1. Video clinics for coaches, officials, physicians, boxers, etc.: The Federation already has a clinic and seminar program, however the programs are only conducted in major metropolitan areas. The development of a video library of clinics on a variety of subjects, from sports medicine to nutrition to coaching techniques to drug control to better officiating to training ringside physicians. This system would allow the entire membership to benefit from the knowledge of the best in each area. This project is awaiting funding.

2. Physician's manual: The Sports Medicine Committee of the Federation has prepared a manual for distribution to ringside physicians. The manual is all exclusive and is a great guideline and source material for ringside physicians. The manual is in its final manuscript stages and will be produced in-house until funding is available for a bound book. The material in the book will continually be up-dated by the Sports Medicine Committee.

3. Investigative squad: The Sports Medicine Committee wants to form regional investigational units. These units will go to the scene of a fatal boxing accident to make a report on the circumstances and findings. This procedure will enable the Federation to monitor how situations are handled and make sure that correct information is released rather than suppositions or circumstantial evidence. Also, the Federation will then make a positive statement at the time of the incident than a defensive statement days later.

The forms and procedures are being developed as well as the manner that the unit should be called into action. Actual implementation is contingent upon the ability to identify funds to cover transportation and other related costs.

4. A speaker's bureau: The Federation wants to develop a roster of people to make presentations to Boy's Clubs, Park and Rec departments, PAL clubs and other neighborhood organizations (medical groups too) to edcuate the administrators and members on the benefits of either instituting or maintaining a boxing program as a part of their activities. The speaker would also emphasize the safety procedures built into the rules. This program is awaiting budgetary funds to train and transport bureau members.

5. Athlete speaker's bureau: The Federation is interested in developing a roster of current and former amateur boxers to speak to youth groups, schools, youngsters in detention halls, etc., about the importance of sports in life as well as avoiding drugs, crime and juvenile delinquency. We have had great success when athletes have visited Boys' Clubs, etc., in various cities. As peer role models, these young men can show that you cna make something of yourself, maintain the respect of your peers

and do well without the criminal element. This project also needs funding for training and transportation for speakers.

6. Operation Gold: This is a program that is temporarily in abeyance. Operation Gold is designed to assist young boxers in achieving peak athletic performance as well as in improving themselves personally through education or job training. Operation Gold's intent is to help ranked boxers prepare for a life after boxing. The program operated effectively from September 1982 through September 1985. Currently it is being studied for changes to improve its effectiveness. Additionally the two major sponsors of the program have withdrawn, so the Federation is seeking new funding sources.

7. Thomas "Sarge" Johnson Scholarship Program: The Thomas "Sarge" Johnson scholarships are available to all active athlete members of the Federation. Selection of the recipients is based on the ability to succeed at an institution of higher learning; athletic prowess is not a consideration. For the past four years, an average of five annual scholarships of $1,000 have been awarded. As more funding becomes available, the Federation hopes to expand the number and size of the grants. The Federation believes this (as well as Operation Gold) fills a void since boxing is not a collegiate sport, and athletic scholarships are not available.

8. Computerization of the 57 local boxing committees: Supplying each of the 57 Local Boxing Committees (LBCs) with computers hooked into the system as well as up-date our insurance and registration procedures. Currently, all files are manually kept on the local level until it is computerized at the National Office. Again, financial constraints have kept this project on hold.

Conclusion

The USA Amateur Boxing Federation (USA/ABF) is vitally interested in not only protecting and assisting its athletes in athletic prowess but also as individuals. The rules and programs of the Federation are geared to help our athletes become the best they can be on all levels so they can join the workforce and contribute to society.

With that in mind, the Federation is interested in assisting the Committee in organizing its national boxing corporation and having representation on the Board. While amateur boxing is not a "feeder program" for the professionals (less than one percent of the amateurs turn professional), the relationship between amateur and professional boxing is similar to that of colleges and professional sports like football, baseball, hockey, etc. The Federation wants to make sure that the safety and precautions started in the amateurs are promulgated in the pros to ensure the continued health and safety of the boxers.

[Enclosure A]

USA ABF'S PROGRAM OUTLINE

A. Organization

1. Amateur boxing comes under the jurisdiction of a single, unified governing body in the U.S. and under one body internationally. The governing body in the U.S. is the USA Amateur Boxing Federation (USA/ABF); internationally, the organization is the International Amateur Boxing Association (AIBA).

2. The rules are uniform worldwide. The only differences in rules occur when a country wants to make them more safety-conscious than the regulations of AIBA.

3. All amateur boxing competitions are strictly regulated, both medically and rulewise.

4. USA/ABF is up-dating its medical surveillance system, making it, in effect, the most modern in sports. USA/ABF is instituting a computerized system utilizing the medical electronic card of the Hovick Medical Group. This card allows instant recording of boxing and medical information as well as access to medical history materials at any time and/or any place. The system will be used in a pilot program tracking the top 200 boxers in the U.S., with eventual growth to all registered-USA/ABF boxers. This system guarantees against mismatches as well as injured, ill or suspended boxers from competing or sparring until a bonafide medical release is obtained.

5. USA/ABF is the national governing body for the sport of amateur boxing in the United States. Translated, this means it is responsible for the organization, supervision, development and promotion of Olympic-style boxing. USA/ABF is charged with this responsibility by the Amateur Sports Act of 1978, Public-Law 95-606. The Federation is an independent, not-for-profit corporation and is recognized by the U.S. Olympic Committee (USOC) and the International Amateur Boxing Association (AIBA).

6. The Federation is governed on the national level by a 10-man Board of Directors and a 200-member Board of Governors. For the day-to-day operation, there is a national staff at USA/ABF's headquarters, located on the Olympic Complex in Colorado Springs. The Federation has a network of 57 Local Boxing Committees that monitor and administer amateur boxing on the state and local levels.

7. USA/ABF uses a national computerized registry system—each athelete and non-athlete has a validated card that must be shown to compete on the local, state, regional or national level. If a person does not have his card, his registration can be checked against a computer membership printout. When a boxer, coach, official, etc., registers as a member of the Federation, he automatically receives sports accident insurance as part of his registration fee.

8. A boxer must be registered with the Federation to compete in any sanctioned amateur boxing match. Anyone competing in an unsanctioned match is subject to a hearing and possible suspension from the organization and sport.

9. In addition to athletes, USA/ABF registers coaches, officials, physicians, administrators and volunteers as non-athlete members. To work a sanctioned event, a person must be a registered member.

10. Local Boxing Committees sanction all competitions within their geographic area. The conditions of the sanction require that all rules of the Federation be followed.

11. To ensure the membership is aware of the rules, an annual rulebook is published. Rules are amended, if necessary, at the annual meeting.

B. Philosophy

1. The object in amateur boxing is to outscore one's opponent through superior skill, conditioning, speed and strategy. The goal is not to injure or render unconscious one's opponent.

2. Scoring points is paramount in amateur boxing. All legal blows count equally, with no credit given to a blow that dazes or knocks down one's opponent. For a blow to count, it must land in the legal scoring area; all other blows are considered fouls, and the referee cautions a boxer when a foul blow is landed. Therefore, the knockout is a by-product not a goal in amateur boxing.

C. Safety During Competition

1. Headguards are mandatory in all U.S. amateur boxing competitions. The protective headguard is optional in international competition except for the Olympic Games. Ongoing research investigates the best design, materials and weight for optimum protection.

2. Form-fitted mouthpieces are mandatory. Action during a bout is suspended if, for any reason, the mouthpiece falls out during a round.

3. Standing eight counts are administered by the referee throughout a match when he recognizes a boxer has received a stunning head blow and immediately suspends the action. Right then, the boxer is evaluated by the refree during the standing eight-count to see if he can continue to compete. The object of the standing eight-count is not to allow a rest or recuperation period for the boxer; instead it is to observe the athlete's reactions and vulnerability to ensure that any further activity is not harmful. A stunning head blow may effect the boxer's balance so that if he is allowed to continue, the subsequent blows could be harmful. This practice eliminates the instance of a technical knockout, for all practical purposes, from amateur competition. An eight count is also administered if a boxer is dropped to the mat by a blow.

4. The referee may suspend the action and request the ringside physician to examine one of the competitors at any point in a match. The physician's determination to stop or continue the match is binding. The physician may also examine either of the boxers during the interval between rounds at his discretion and may stop the match at that time.

5. Legislation was just passed to allow the ringside physician, at his discretion, to suspend the action during a round to examine a boxer. This was approved in May 1985.

6. The bout may be stopped because of any of the following conditions: swelling, cuts, blocked vision, a mismatch, illegal or foul blows and/or the inability to defend one's self.

7. If a boxer receives more than three eight counts in one round or a total of four in one match, the bout is automatically stopped.

8. The gloves in amateur boxing are designed to absorb shock as well as to protect the hand. Research is investigating what materials and weight provide the best protection. The thumbattached and thumbless gloves have been approved for use, and

their effectiveness is continuously being evaluated. Based on past history, 10-ounce gloves are required in the U.S. for amateur boxing. Effective July 1986, 10 ounce gloves will be used for 106 pounds through 156 pounds and 12 ounce gloves will be used for the weight categories over 156 pounds. Internationally, eight-ounce gloves are used for the lighter classes (106 through 139 pounds) and 10-ounce for the heavier classes (147 through over 201 pounds.

9. Basic life-support equipment is required at ringside as well as a physician. Prior arrangements must be made with local hospitals, etc., in case of an accident or injury.

D. Other safety precautions

1. The "rest" presently required for boxers whose bouts were stopped due to head blows or by knockout are being further refined.

While a written medical release has always been required, the mandatory suspension of a boxer whose bouts are stopped by the referee because of head blows from participating in competition or sparring has been increased from four weeks to 90 days.

A boxer who returns to sparring and/or competitive boxing after the 90-day suspension and then has another bout stopped due to head blows or on a knock out in the following three (3) months shall be suspended for a twelve (12) month period.

A boxer who has been knocked out as a result of blows to the head, during a contest or sparring, shall not be permitted to take part in sparring or competitive boxing in accordance with the following: (i) a boxer who is knocked out and is unresponsive, due to a head blow, for less than two minutes is suspended for six (6) months; or (ii) a boxer who is knocked out and is unresponsive, due to a head blow for two (2) minutes or more is suspended for a minimum of twelve (12) months.

In each of these instances, the boxer may continue to train but may not spar or compete. Before he can engage in either sparring or competition, he must have completed his suspension period and received written medical approval.

2. Improved guidelines have been developed for the ringside physician. These include a ringside physician's manual, more stringent requirements for the pre- and post-bout examinations, improved injury reporting forms and the Hovick medical tracking system.

3. All referee/judges must pass both written and practicum tests to be certified as an official.

E. Attire

1. The length of the participant's hair is closely monitored to eliminate any blockage of vision. Only a pencil-line mustache is allowed to avoid any aggravation and reduce the chances for abrasions, etc.

2. A shirt is required to reduce the chance of abrasions. Also, no "foreign substances," such as vaseline, are allowed. This also reduces the chance of abrasions and cuts from dirt, etc.

F. Rounds

1. Only three rounds are allowed in amateur competition rather than marathon-type competitions allowed in the professional sport.

2. The length of the rounds vary from one to two minutes for Junior Olympic (10-15 years of age) boxers. Open class competition (16 years of age and over) has three-minute rounds.

G. Establishment of the National Medical Committee

1. This group of physicians (various specialists, including neurosurgeons and neurologists, general practitioners, researchers) approves, monitors and coordinates the ongoing medical studies and research into additional safety measures, including rules and equipment alterations.

2. The Committee provides guidelines for and continues to assist in the training and education of coaches, officials, boxers and administrators. All officials and trainers must be certified USA/ABF.

3. The Committee is working toward a system for certifying ringside physicians.

4. The Committee will continue to conduct medical seminars and clinics at various events and national and regional meetings.

5. The Committee will continually reviews and up-dates the manual for ringside physicians.

H. Medical Research

1. Research on equipment designs and specifications is ongoing to properly gauge and monitor current equipment.' The results of these projects give input how the specifications of our equipment can be improved.

2. The Federation has endorsed a major four-year study on concussive injury in collision sports, looking at amateur boxing and football. It is an epidemiological study that will answer questions determining if there are medical risks associated with amateur boxing.

[Enclosure B]

PART I: OPERATION GOLD

Operation Gold is an educational, grant-in aid program of the USA Amateur Boxing Federation (USA/ABF). The newest and most innovative of USA/ABF's activities, the program has a two-fold purpose: to help nurture Olympic-caliber talent for the U.S. Teams and to assist in each participating athlete's personal growth.

Operation Gold is directly aimed at providing development opportunities for amateur boxers so that this country's best can compete successfully against world-class boxers, particularly in Olympic competition. Operation Gold also provides boxers with a viable alternative to turning professional—previously, many of the USA's top boxers' only chance to get ahead was to become a professional boxer. The lure of money to reduce his family's financial pressures has forced many a boxer to drop out of the sport and/or turn professional before he is ready. Furthering his education or learning a trade is rarely an option.

This picture changed radically with the establishment of Operation Gold in 1982. Since its inception, none of the top amateurs defected from the sport until after the 1984 Olympic Games.

Invitations to participate in Operation Gold are given to boxers based on their performance in the U.S. Championships, other key national and international competitions, their personal integrity and sportsmanship. When an athlete enrolls in the program, a strict standard of excellence both in work or school or athletic training must be maintained to remain in the program. Participation is entirely voluntary and is available to a select number of the USA's top boxers.

Operation Gold is founded primarily through the support of corporations, the U.S. Olympic Committee (USOC) and USA/ABF.

PART II: THOMAS "SARGE" JOHNSON SCHOLARSHIP FUND

To aid its athlete membership in improving itself educationally, the USA Amateur Boxing Federation (USA/ABF) established the Thomas "Sarge" Johnson Scholarship Fund. Any athlete member of USA/ABF may apply for the scholarship - awarding of the grants is dependent on the applicant's ability to succeed at an institution of higher learning. Boxing ability is not a consideration.

The number of scholarships and the size of each grant is dependent upon the monies available. Each year a certain portion of USA/ABF's annual budget is set aside for this fund. Last year, five scholarships of $1,000 each were distributed. Selection of the recipients has been made by the Admissions Department of a major university.

The scholarship is named for the late Thomas "Sarge" Johnson of Indianapolis, one of the USA's top amateur boxing coaches. Johnson, who was the assistant coach at the 1976 Olympic Games, was killed in a 1980 plane crash in Warsaw, Poland. Johnson was also one of the U.S. national coaches and a former coach for the Job Corps.

PART III: A SYNOPSIS OF THE JOHNS HOPKINS STUDY

The Johns Hopkins University's study is a prospective, epidemiological study of the sport of amateur boxing. Conducted over four years, the study will investigate if any medical risks are associated with amateur boxing. The primary objective of the study is to determine if participation in amateur boxing is associated with an excess risk of permanent neurologic and neuropsychologic deficit, especially when compared to participation in non-collision and other collision sports.

The specific aims are:

1. To study the natural history of amateur boxers including introduction to the sport, preparation and training prior to their debut, training and competition throughout their career and termination from the sport.

2. To determine if an excess risk of neurologic of neuropsychologic deficit is associated with participation in amateur boxing compared to a collision and non-collision sport.

If an excess risk is found:

a. To determine if the deficit persists.

b. To determine if the excess risk is associated with boxing-related factors such as age at first exposure, length of time boxing, number of bouts, estimated number of blows to the head, training, protective gear and other boxing-related parameters.

c. To identify neurologic or neuropsychologic measures which are sensitive to persistent central nervous system damage in boxers.

3. To determine if there are social and psychological benefits associated with participation in amateur boxing.

Past studies have been retrospective in nature and cross-sectional in design. When using this type of design, it is not known if neuropsychologic problems preceded or followed boxing-related experiences or can be attributed to other than boxing which occurred prior to a clinical condition, such as drug abuse, alcoholism, venereal disease or accidents.

The results from some of these prior studies are further limited by the absence of an appropriate control or comparison group. Many clinicians argue that when using standardized tests, such as the EEG, CT scan or neuropsychological examination, that a control group is not necessary because, in essence, a comparison is being made with the general population. This reasoning is erroneous because it is based on the assumption that an individual clinician deals with a wide range of patients. In fact, those patients are a very select group. In addition, it is assumed that boxers are representative of that population, when in fact, they are also very select group of individuals.

Furthermore, findings from previous studies on amateur boxers cannot be generalized to today's amateur boxers because of the select group of boxers studied. Additional, amateur boxing has changed since subjects participating in previous studies were involved in the sport. Because a majority of the amateur boxers do not become regional or national champions and may not be highly competitive, a true picture of the sport can only be obtained by studying a wide spectrum of boxers in every skill level and include both training and competitive activities.

A table of the tests previously conducted is included in the attachments. Because of their various limitations, a study on the scale of the Johns Hopkins proposal is critical for a true picture of the sport. The study calls for boxers of varying levels of skill to be tested on the club level in three different geographic areas. The boxers who consent to participate will be tested with a battery of tests, including general intellectual function, attention and concentration, mental and motor speed, visupractic function, memory, mental control, planning and strategy, auditory evoked potential daily variation, tremor test and EEG. The boxer will also receive psychosocial testing and baseline interview.

Three control groups will be used: athletes from a collision sport, most likely football; athletes from a non-collision sport, most likely track and field; and siblings. The control groups will be matched on age, sex, race and proxy measure for socioeconomic status as defined by location of residence.

The follow-up testing will be done at two-year intervals, with periodic contact and testing in-between. Any subject whose findings register in the abnormal range will be re-tested within the week. A follow-up test will be conducted three to four months later as well as at other times during the two-year interval. The entire timetable and outline of the study is included in the attachments.

PART IV: A SYNOPSIS OF THE HOVICK MEDICAL GROUP'S MEDICAL HISTORY PROGRAM

To improve on its existing medical history program, the Federation has joined forces with the Hovick Medical Group to utilize its computerized medical history system.

The program entails the use of a micro-chip card, a computer terminal and a control micro-chip card. Each athlete's card will carry in the micro-chip his entire medical history as well as an up-to-date record of his boxing career. The card, which will bear the athlete's photo, has a number of safeguards into it. At each tournament, an authorized person will check the information on the boxer's card and up-date that information through a portable computer terminal. The new information is also transmitted to the main computer.

The Federation's national registry already tracks boxers but this system will be another control to ensure that a boxer does not violate his suspension period or try to box without approval.

To start, the system will be used for 200 of the top boxers in the U.S. as a pilot program. Once the system is refined and finalized, it will gradually be expanded to include the Federation's entire athlete membership.

The material that will be stored in the system includes childhood accidents and illnesses, allergies and medical conditions, eyesight stats, general medical stats, physical impairments, emergency information, etc. His record will also include the dates he competed, who his opponent was, what the result was and any pertinent remarks concerning the bout. The notation will be made if he needs to consult any type of physician, any injuries he sustained and any treatments made/suggested.

Mr. MURPHY. Thank you very much, Colonel. And the third witness on the panel before we question them is Mr. John Holladay, Jr., of South Carolina, Deputy Boxing Commissioner from Columbia, SC.

Thank you for journeying here, Mr. Holladay. You may proceed.

STATEMENT OF JOHN H. HOLLADAY, JR., DEPUTY BOXING COMMISSIONER, STATE OF SOUTH CAROLINA, COLUMBIA, SC

Mr. HOLLADAY. Mr. Chairman and other Members of the Congress, I appreciate this opportunity to be here to discuss H.R. 1689, which incidentally—maybe not incidentally, but all six South Carolina Congressmen have cosponsored this bill.

Mr. MURPHY. You have been doing your homework.

Mr. HOLLADAY. I hope so. I am 62 years old and I started boxing in high school at the age of 13. I boxed in college, I boxed in Golden Gloves, I boxed in the service, I had 21 professional fights, and I have been serving on the County Commission in Lexington County, SC, and now on the State Commission. For whatever that does for my credibility.

A recent five-bout boxing match in South Carolina had four knockouts in the first round. This type of thing happens in South Carolina, but not only in South Carolina, it happens in those states that have the best boxing records and the best-controlled boxing. It should not happen but it does happen because of mismatches, and mismatches occur by design.

When I was boxing I did it by design. I never boxed anybody that had the slightest chance of ever looking good. [Laughter.]

But mismatches do occur by design. They occur when a promoter or a manager gets out and tries to move somebody along too fast. Sometimes they occur because there is no boxing commission, or because the commission or the matchmaker does not have the time, the information, or the knowhow to evaluate and rate the ability of a participant. Sometimes it happens because of undetected poor physical condition of the boxers.

I think it is imperative to have some type of standard system of rating. And by rating I do not mean ranking 1, 2, 3, 4. Rating them, a grade 96, a grade 94, a grade 95, a grade 10, so that we do not have a grade 10 boxing a grade 94. I do not know how to do that, but I am sure we could work out a way.

I think it is imperative to have some type of standard of doing this. Just because two boxers have the same record, both have ten wins and no losses, does not in any way mean that they are equal. One of them may have fought a bunch of quality boxers and the other was fighting a bunch of bums.

At times poor boxers are placed on a card because the promoter does not have the money to pay for talented boxers. In some matches that I noticed in other States, we had one card that had six fights. The average purse was $118 per fighter. There were four knockouts on that card, incidentally. Another State, there were six fights paying an average of $114 per fighter. There were four knockouts there. Another fight card had four fights, there were three knockouts, and they paid $120 average.

Now, obviously, you cannot get quality boxers for this type of pay, and I think there needs to be some minimum pay per round for boxers. Boxing in South Carolina for a number of years was controlled by a State law that authorized boxing commissions in each county. And such commissions were not mandatory, but if they did exist the only thing that the State required them to do was: one, they could not have a prize fight; two, a boxing match could not exceed 15 rounds; three, you had to get permission from the county commission, if there was any commission, and it had to go under the rules of that county if there were any rules. Fourth, if there was appeal by the boxer or anyone else, it had to be made to the local senators or the local house members, or the mayor of the largest city in the county. And no commissioner could have any financial interest in boxing.

Now, only 6 or 7 of the 46 counties in South Carolina had commissions, and no county that I know of had regulations that were more than 1 page in length. Promoters that came into the State were actually running the show. They intimidated the commissioners and they did just about like they wanted to. Amateurs—that's 8- and 9-year-old children—were appearing on professional boxing cards. There was no investigation of boxing records, nor was any attempt made. Physical examination was very skimpy, if they had any at all, and licensing, if there were licenses, was done just before the boxing matches and everybody was licensed.

At one time a promoter refused to pay the boxers for three days after the fight. We tried to get him to pay it. We really could not do anything. These fighters that came from out of State had to stay there and pay a hotel room and eat, and they were not making enough money to pay for the hotel room.

One time we found a canvas torn in the middle. I stopped the fight in the middle of the fight and made them go out there and tape it. And we stopped between every round and he would go back out and have to spread the tape on the thing. We had another bout that was outdoors where they did not have carpet or anything leading to the ring and dirt was tracked into the ring and they did not even have a broom or vacuum cleaner there. They would get out there with a towel and try to brush the dirt off the ring.

At times there was no physician present. I could sit and name numerous times that I saw that happen. There was no requirement for accident insurance and youths of 16 and under were fighting seasoned boxers.

Now, while the rules differed, or what rules there were differed from county to county and from fight to fight in the same county, the referees were really setting the rules and the commissions, if they had one, were just following whatever they wanted. We tried for a number of years to get a State commission set up but we had some problems because some of the legislators felt like we were trying to promote the brutal sport of boxing, and others thought that rather than promote health and safety that we ought to just do away with it altogether.

Finally, last year, our Governor signed a law setting up the State commission, and it went into effect on July 1. We have a complicated system of getting rules approved and it took us until May 24 of this year to go through all of the procedures of writing them and getting them written. But we do have rules and they are fairly similar to New Jersey and Nevada and Texas and other States. We left things out that we knew we could not control, could not enforce, but we put them together.

We have not been able to get top quality boxers in South Carolina because we do not have the facilities to house them and we have not been able to overcome some of our previous reputation. Now, Bob Arum of Top Rank Boxing was referring to South Carolina a couple of months ago when he said, "Listen, it would be a blessing if some States banned boxing because of the medical rules that they have or don't have."

But we have improved in South Carolina. Just last month, in Charleston, we had a boxing match. The main event had two fighters, one was an undefeated young man from Colombia, and the other was a veteran fighter that our investigation through Ralph Citro's filing service in New Jersey showed that he had been knocked out five times in 13 days. We did not license him in South Carolina.

If I can depart just a minute, after the fight, after our match in Charleston, we had a national television man came to our commission and said, we were down here with our cameras. We wanted to put this on our national program showing that he had fought in six States and that he was knocked out in the sixth State.

We did not let him box in South Carolina, and this national television network asked us if we would let him box if they paid us. We said, no, sir. Do it in some other State, not in South Carolina.

But I think that this shows the need for a standard list somewhere of professional boxers and their records, some type of central filing system all over the country. We in South Carolina, and I do not think any other State, cannot afford to send the results of all of our matches to 50 States, and neither can we call 50 States on every boxing match that we have, on every fighter, to see what their record is. It needs to be in one place and then we can do it.

Now, we had a national promoter in Columbia 2 or 3 months ago that wanted to promote a light heavyweight that we have in South Carolina. He is a pretty good light heavyweight. He has won 15 matches and lost 2. He said that he could get him up to where he could box for the world's championship by bringing in a bunch of bums for him to fight to make him look good. We told him that he would have to do that in North Carolina. [Laughter.] We would not do it.

I think that we have proved in South Carolina that 1 State regulation is better than 46 county regulations, and I think it follows logically that one national regulation would be far superior to 50 State regulations.

The representatives of the 13 boxing commissions met in Texas—we were not invited—and we have since been invited to participate in the things that they have. We would support their formation of this American Boxing Commissioners' Association, which has as its purpose many of the rules that this bill has. But we are going to support H.R. 1689 because we think it is better.

We think it is clear that while the rules that have been adopted by the independent associations such as the U.S. Amateur Boxing Federation, if that is the correct name, the Professional Karate Association, NASCAR and others do much to control their sport, they do not do an adequate job.

Even though most of the amateur boxing and most of the contact karate and most of the automobile racing comes under these associations, there are still events of these types of sports that do not come under the associations. In South Carolina there can be and have been amateur boxing matches that would be on a professional boxing card. They do not have that anymore. They could have been anyway. If they are not under the federation, they do not have them in South Carolina now. But States that do not have a commission, that do not have that as a rule, they could have amateur boxing that is not under the associations.

We think because of this that an association is not going to do a job. You have got to have some national control. And I believe that Congressman Williams' bill to establish this federally chartered U.S. Boxing Corp. would have a good chance of accomplishing what is needed in professional boxing. The fact that the corporation would be required annually to rank States in the order of their participation in a model bill and to file a report with Congress in 3 years implies to me that Federal legislation would require all States to have substantially similar rules, or at least to have some type of regulation at some point in time.

It is absolutely necessary that the results of all boxing matches be recorded in one place or at least that all such results be recorded in a similar format so that they can be tied together with a national computer similar to the credit bureau systems. This central filing system, together with the rating of all boxers according to his relative ability, and some method of identifying boxers. We use the passport. We try to use one that is put out by the U.S. Boxing Association. We could not have a separate passport, just as I do not think each State can have their own passport. We have to have it coming from one place, or it is not any good at all.

The number of world championships created by the various associations such as the World Boxing Association, the International Boxing Federation, the World Boxing Corporation, World Athletic Association, and others, have made boxing look ridiculous. Who is the heavyweight champion? Is it Larry Holmes? Is it Pinklon Thomas? Is it Monte Masters? Tony Tubbs? Or Junior Pipolini? Or who is it?

For boxing to once again become a highly respected sport this championship farce has got to stop, and I strongly support and our boxing commission supports the establishment of U.S. and world boxing championships through the American Boxing Corp. as authorized by this bill.

I would like to comment for a moment on Mr. Montoya's statement that we ought to let people that are not citizens serve on this. I do not think so. If we cannot find six or seven American citizens capable, then I do not think we need to have the corporation.

We small States like South Carolina do not attract the major boxing events and for that reason we do not have enough money that we can generate to do things. We need the grants and assistance that we can get. National standards and fair labor, including minimum pay, life insurance, and we think, a retirement plan and other benefits, should be there. The average boxer in South Carolina, and I think all over the country, is relatively uneducated and he needs somebody to look after him. These people get taken by managers and get taken by promoters.

I would like to see H.R. 1689 amended to require each State to have a regulatory body for boxing, and to require sanctions from the American Boxing Corp., and to require that results of all professional boxing matches be recorded in a designated information center. The ability of a boxing regulatory body, particularly in a State with infrequent boxing events, is dependent on information that it gets from other States. In order to get accurate information, the rules and procedures must be similar.

I believe that the representatives of State boxing and athletic commissions should have input and I think that if—and I know I am talking too long, if that is all right?

I think that we should let the associations, and this one that is being formed in Texas, and other States, have input into the regulations and perhaps they ought to be given a period of time to come up with a regulation—I would say, 6 months—that could be adopted by the corporation. If they do not come up with it in 6 months then let the corporation put their own regulations in.

I and the State Boxing Commission of South Carolina want to go on record as supporting H.R. 1689 and urge its passage.

[The prepared statement of John H. Holladay, Jr. follows:]

PREPARED STATEMENT OF JOHN H. HOLLADAY, JR.

Mr. Chairman and members of the Committee, I appreciate this opportunity to discuss professional boxing and the need for certain uniform rules in every state to promote the health and safety of those engaged in the profession. My name is John Holladay, and I am a member of the South Carolina State Boxing Commission and have been designated as the Deputy Chief Boxing Commissioner.

Boxing has a reputation of being the most brutal of sports. Perhaps this reputation exists because a primary purpose of the game is to hit and hurt the opponent; but, to be called "the most brutal of sports" is undeserved since other sports (karate, wrestling, and football to name a few) also have a primary purpose of neutralizing the opponent. A football player was quoted in last Friday's paper as saying "I get a thrill out of knocking people down." Further, boxing falls behind a number of other sports in fatalities.

Nevertheless, professional boxing is a rough, tough, and dangerous business. It has many problems that need to be straightened out. I have observed boxing events held not only in South Carolina but in states that are known for their sophisticated control of boxing and in many cases the majority of the contests on a boxing card ended with an early knockout. A recent five (5) fight event in South Carolina had four (4) knockouts in the first round. This type of thing has happened not only in South Carolina but in most of the states that have good reputations for controlling boxing. It should not happen, but it does because of mismatches. Sometimes mismatches occur by design when a promoter or manager is trying to develop a boxer's reputation too fast. Sometimes they occur because there is no boxing commission or because the commission or matchmaker does not have the time, the information, or the know-how to evaluate or rate the ability of participants. Sometimes it happens because of the undetected poor physical condition of one of the boxers. I think it is imperative that a standard system of rating or grading boxers according to their abilities is developed. Just because two boxers have the same numerical record, i.e.

ten (10) wins and no losses, does not mean they are equal. The opponents of one fighter might have been quality boxers while the other one met a bunch of bums.

At times, poor fighters are obtained because the promoter is unable or unwilling to pay the price for talented boxers. Boxing events in some of the better controlled states proved this: 1. 6 fights (12 participants)—total purse $1,425.00 ($118 average) There were 4 knockouts.

2. 6 fights (12 participants)—total purse $1,373.00 ($114 average) There were 4 knockouts.

3. 4 fights (8 participants)—total purse $965.00 ($120 average) There were 3 knockouts.

Obviously, quality boxers of equal ability cannot always be obtained for this amount of money. There needs to be minimum pay for each scheduled round.

Boxing in South Carolina for many years was controlled by a state law that authorized counties to have boxing commissions. Such commissions were not mandatory but if they did exist, the only requirements were:

1. It was unlawful to engage in prize fighting or to be a second in a prize fight (a prize fight was not defined).

2. Boxing contests could not exceed fifteen rounds.

3. Permission for the contest was to be obtained from the county commission, if any, and was to be under the control of the county commission and subject to its rules, if any.

4. Appeals of rules or rulings were made to the local senators, representatives and the mayor of the largest city in the county.

5. No commissioner could have any financial interest in boxing.

Only seven or eight of the 46 counties had commissions, and as far as I have been able to determine, no county had written regulations that exceeded one page.

Promoters intimidated some commissions and, in general, operated pretty much as they pleased. Amateurs, kids eight and nine years old, were appearing on professional boxing cards. No investigation of boxing records was made or attempted to be made. Physical examinations were very skimpy. Licensing, if any, was done just before the event.

Once, a promoter refused to pay the participants until three days after the fights. At one fight, there was a dangerously torn canvas. Another outdoor bout had dirt on the canvas and no broom or vacuum cleaner was present. At times, no physician was present. There was no requirement for accident insurance and youths of 16 and under were fighting seasoned boxers. What rules existed differed from county to county and from fight to fight in the same county. It was a grand mess.

Our present Chief Boxing Commissioner, Chris Hitopoulos, had been trying for several years to have a state boxing commission established but the purpose of the commission was misunderstood. Some legislators believed that the commission would be used to promote the "brutal" sport of boxing rather than to promote the health and safety of boxing participants and some thought boxing should be banned altogether. Finally, in May of 1984, the Governor signed into law a bill establishing a state boxing commission to be effective July 1st of that year.

It took ten months to write the regulations and to go through the administrative procedures of having them approved; however, on May 24th of this year, they became law. The rules are similar to those of New Jersey, Nevada, Texas, and other states. Still, major problems exist because of lack of funds. South Carolina has not been able to attract top quality boxers because promoters are undercapitalized and because there are no facilities large enough to house a major boxing event. We have not been able to overcome our reputation as expressed recently by Bob Arum of Top Rank Boxing when referring to South Carolina he said, "Listen, it would be a blessing if some states banned boxing because the medical rules they have or don't have are ridiculous." But we have improved. Just last month, a main event was scheduled between an undefeated young man and a more seasoned participant. Our investigation, through Ralph Citro's filing service, revealed that the veteran had lost five (5) fights by knockouts in five (5) different states during a thirteen (13) day period. South Carolina did not become the state of knockout number six (6). We refused to license him. Perhaps if we had checked with some information service other than Citro, we might not have discovered the problem. This I think shows the need not only for a standard list of professional boxers and their records but for a central filing system for the entire country and for a central agency somewhere to sanction all boxing contests. There should also be a central register of managers and promoters since obviously this boxer's manager should not be licensed anywhere. We have proved in South Carolina that one state regulation is much better than 46 county regulations. It follows logically that one national regulation would be superior to 50 state regulations.

Representatives of boxing and/or athletic commissions from several states, cities, and Canada have met three times. They proposed the formation of an American Boxing Commissioners Association. A primary purpose of this association would be to establish uniform medical and safety regulations. The concept of this association I support, just as I support the concept of Congressman Williams' bill (HR 1689).

However, it is clear that while rules promulgated by independent associations, such as the United States Amateur Boxing Federation, the Professional Karate Association, NASCA and others, do much to control their sport, they do not and cannot do an adequate job. Even though most amateur boxing, full contact karate, and automobile racing are held under the auspices of their respective associations, some such events are held independently with different or no rules at all. This happens because no law requires compliance.

I believe Congressman Williams' bill to establish a federally chartered United States Boxing Corporation would have a good chance of accomplishing what is needed for professional boxing. The fact that the corporation would be required annually to rank states in order of their participation in a model bill and to file a report with Congress in three years implies that federal legislation would require all states to have substantially similar rules at some point in time.

It is absolutely necessary that the results of all professional boxing matches be recorded in one place or at least that all such results be recorded in similar format so that there can be a national computer hook-up similar to the existing Credit Bureau System. This central filing system, together with a rating of all boxers according to each's relative boxing abilities and some method of identifying the boxers, is a must to reduce mismatches and injury.

The number of world championships created by the various associations, such as World Boxing Association, International Boxing Federation, World Boxing Corporation, World Athletic Association, and others, have made boxing look ridiculous. Who is the heavyweight champion? Larry Holmes? Pinklon Thomas? Monte Masters? Tony Tubbs? For boxing to once again become a highly respected sport, this championship farce must cease. I strongly support the establishment of United States and world boxing championships sanctioned by the American Boxing Corporation.

We small states that do not attract the major boxing events would certainly benefit from grants and technical assistance in our efforts to maintain the high standards we have set for professional boxing. National sanctions and fair labor standards, including minimum pay, life and accident insurance, a retirement plan and other benefits, would do much to upgrade the quality of professional boxing and to identify and eliminate those boxers, managers, promoters and others who have no place in the profession. It would surely improve the safety and health of the participants.

The need to better control professional boxing is of paramount importance. Something must be done to protect those who have chosen boxing as a means of livelihood. Most of the boxers in South Carolina, and I think in the United States, have little education and are not qualified to manage their business affairs. It is time someone looked out for them.

I would like to see HR 1689 amended to require each state to have a regulatory body for boxing and to require sanctions from the American Boxing Corporation and to require that the results of all professional boxing matches be recorded in a designated information center.

The ability of a boxing regulatory body, particularly in a state with infrequent boxing events, is dependent upon the information obtained from other states. In order to have accurate and meaningful facts, it is necessary to have uniform rules and procedures. This will never be accomplished satisfactorily on a voluntary basis. There must be be some form of national control. I believe that representatives of state boxing or athletic commissions should have input in whatever regulations are promulgated; however, I and the State Boxing Commission of South Carolina go on record as supporting HR 1689, and we urge its passage.

Thank you gentlemen for this opportunity to be heard.

Mr. MURPHY. Thank you very much, Mr. Holladay. I want to say that I appreciate your support of the measure. I want to assure you, and I believe that it is the intent of the sponsors of this bill, and certainly of myself as chairman and the members of my committee, not to infringe upon the States such as yours who are attempting to do a good job regulating the boxing sport.

What I think we are interested in is making it uniform, not making it oppressive, trying to have a cooperative effort between the States rather than the Federal Government telling the States what to do, but merely to mesh what the good States are doing for all of the States. Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chairman, and thanks to you gentlemen. You really understand what is in this bill and I am very appreciative of your support.

Senator, with regard to the sunset provision, and you recall me mentioning to Mr. Rogich that we were really giving some very strong consideration to that idea, but our dilemma is this.

Involvement within the corporation's umbrella is voluntary. So if you establish a sunset in 3 years or 4 years or 5 years, any States that wanted to resist the commission could simply let the 36 months, the 48 months, whatever it is, run out. And that is a problem.

So, it seems to me, if we go to a sunset, then we have to take another look at whether or not the voluntary situation is effective enough.

Mr. Schiller, I want to commend amateur boxing, by way of commending your involvement in it, and point out for the record that as best it can, all amateur boxing comes under the jurisdiction of a single unified national governing body. And, yes, they were able to do it without Federal demand. And therefore the Federal Government is demanding nothing from amateur boxing because they cleaned up their own house.

The USA Amateur Boxing Federation has jurisdiction over administration, over eligibility, over sanctioning, and over the rules of amateur boxing. Amateur boxing uses the same set of rules worldwide. Professional boxing just in the United States uses 45 sets of rules.

The main objective of an amateur boxer is to score points. That is the objective. It appears that the main objective of a professional boxer is to knock out his opponent.

Now, boxing fans, be they strong fans who try to get to every fight or just the marginal fan who will watch a few rounds on television, are equally thrilled by a knockout just as baseball fans are thrilled by a home run. But that is not like full-fledged boxing. They do not watch it for the home run, for the knockout. They watch it for the skill involved, they watch it because it is a sweet science. They watch it for that occasional shuffle and rope-a-dope, for the defensive tactics, for the ballet. That is why amateur boxing is more popular than professional boxing in this country. And people involved in professional boxing have not caught on to it.

Americans are turning off professional boxing on television. Ask the networks. They are turning on amateur boxing. Now, those of you who do not believe it, ask the networks. Ask them where the big ratings are. Why? Because people do not have doubts about amateur boxing, because people know they are not going to watch a bloodbath in amateur boxing. Because the marginal fan, whom we need as a boxing fan, who does not like to see fights go too long and someone hurt or killed, know they can watch amateur boxing and not have to suffer that.

In my judgment it is the turnoff of the fans which has placed professional boxing in real financial jeopardy in this country. And it is in the enjoyment by the fans that has encouraged amateur boxing, particularly in these past two decades.

John Holladay—Mr. Chairman, I met John the day before yesterday for the first time. But here is a State commissioner who has taken his own time to come to Washington, to get on the phone, to write letters, to encourage support for this bill, just because he is a boxing fan and because he understands the bill, or bills. He showed that when he continually referred to this commission as a federally chartered boxing commission, and that is what it is. It is not a Federal boxing commission. And there is a difference.

It is simply federally chartered. It says, the Federal Government sanctions this commission. In that way, you see, the commission can borrow money because it has the sanction of the Federal Government behind it, and any lender will lend a commission like that money.

But does the Federal Government tell the commission what to do? No. We simply let the President appoint the commissioners and then under the very broad guidelines of the bill they go to the States and ask for voluntary compliance.

Again, gentlemen, thanks very much. We really appreciate your help.

Mr. MURPHY. Thank you. Mr. Richardson.

Mr. RICHARDSON. Thank you very much. I do not want to continue this after that eloquent statement of my colleague, which I think made all the key points in a nutshell.

I, too, want to commend Colonel Schiller. I think he has been very constructive, and I think his request that we consider on our commissions a member of amateur boxing is a good one, and we will certainly consider that.

Mr. Holladay, too—I, too, speak from experience. He has been in my office and I know he has a tremendous interest in cleaning up the sport.

And Senator Montoya, I have not had the opportunity to meet with you, but you are obviously extremely knowledgeable and you lead me to just one question, which came into the interplay between you and Mr. Holladay.

I think Senator Montoya, when he mentioned having a foreigner on the commission, was reflecting more of a concern toward better coordination between international bodies and U.S. bodies, and I must say that I concur that even though we do have, I think, a sound bill in Pat's bill and my bill and hopefully a combined bill will emerge, that we still have not addressed, how do we properly coordinate with international bodies, with Mr. Suleiman in Mexico City and Panama. And is not there an Asian body that governs the Asians?

So I think his interest was a positive one, and I wondered if maybe, Senator Montoya, you could address—if, say, let us look down the road, if some of these commissions are enacted, federally chartered, Pat's or mine, or both of ours, down the road if we hope to see better coordination with international bodies, where should we go from here? What do we need to do?

Senator MONTOYA. Well, I think, with all due regard to what Mr. Holladay said, again, you have stated what I was trying to reflect. It is truly an international sport and I am sure that we could find people in the hundreds, at least, who would be eminently qualified to serve on a commission like this, who are not only residents of the United States but who are citizens.

But, there again, I think, as a gesture of good will and in the desire to bring about some international coordination, that it would be a good idea. I think another way to deal with it, if in fact you as Members of Congress and this committee did not want to deal with it in that fashion, perhaps you could put together, which has worked for me in a lot of the areas that I legislate in, a kind of an advisory committee which would specifically prescribe a member of whatever the English body is, of whatever the Asian body may be, and you get yourself a group of international experts in that regard. If you did not want to establish this commission as a commission, rather, that has people other than U.S. citizens, you might be well served by establishing an advisory committee that specifically states the kind of institutional representation that you might want to have. For example, like WIBF, the WBA, the WBC, and again whatever the governing body may be in Asia, or if there is more than one, then whatever the governing body may be in England, to make sure that that advisory committee to the commission is reflective of all of the international participants.

Mr. **Richardson**. I have no further questions, Mr. Chairman.

Mr. **Murphy**. Thank you very much, gentlemen, for being with us and informing us of your knowledge of the boxing world. Thank you very much.

The final witnesses in this afternoon's hearing are Mr. Jimmy Montoya and Mr. Pat Melendy. Mr. Montoya is the manager of 300 professional boxers and has a great deal of experience. He is accompanied by Mr. Melendy, his associate, and we will call up your testimony, gentlemen.

Mr. Montoya, you may proceed.

STATEMENT OF JIMMY MONTOYA, BOXING MANAGER, ACCOMPANIED BY PATRICK MELENDY, HIS ASSOCIATE AND OTHERS

Mr. **Montoya**. First of all, my name is Jimmy Montoya. Alex Ramos is a professional boxer. Mark Risman is an attorney, and Patrick Melendy is my associate.

The reason that we are here, really not by choice, because first of all nobody had really contacted us, and we made the effort ourselves, in making phone calls and getting ourselves in this position today.

Mr. **Murphy**. Well, we are glad you volunteered. Thank you.

Mr. **Montoya**. Thank you very much. One of the concerns that I have, as a manager, as a trainer of fighters, there are many things happening in boxing that are not really right. You have addressed many of the things that I have thoughts on.

One of them that you have not mentioned, though, is discrimination. It is a very funny feeling to be in a corner of a fighter where the fighter only speaks Spanish, the referee does not speak Spanish, he speaks only English. He gives the instructions to the fighter and takes points away because the fighter does not understand it. Many times fighters get hurt because they do not understand what is going on. They let their hands down, or they turn around to look at the referee and they get hit. And many occasions I have been fined. I have been fined more than anybody in the boxing business, for the fact that I have interfered. I have walked into the ring, pulled my fighter right out from the middle of the ring because I wanted to stop the fight, because my fighter was getting beaten. At one point they were going to fine me $100, they were going to take my license away. Yet, you know, I did not care. I walked in and I pulled my fighter, physically, to the corner. The referee came to the corner and says, nah-ah, he continues to fight. I say, no way, that is my fighter, I manage him, I own him. That is my fighter.

It happens to be that after I took the fighter to the hospital he had a broken jaw. And then right away they came to me and they said, "Well, we are sorry, we should have—know—you are not going to be fined. You are not going to be suspended."

I think the point that I am trying to make is this. I represent a lot of Mexican-Americans, or Mexican fighters, or Hispanic fighters that do not speak English. Yet they are punished because they do not speak the language. Many times they cannot go into the SPR. The cameras go to the other side who speaks English. They are not represented well. And yet I am always fined and I am always in disagreement.

The point is this. In the last 10 years I have produced three world champions, and it all took place in about a 2-year period, the last 2 years of my life. What happened here is, you were talking about rank fighters. You were talking about fighters that should only fight fighters according to their ranking.

I disagree very much. Fights are made by styles. I have a kid that had 20 losses, never won a fight, yet went 10 rounds with a world champion, with the first-up contenders, never got hurt. His name was Jaime Nava. He had 20 bouts, down on the deck three times. He broke—Ruben Castillo, No. 1 contender—nose and continued. He got robbed out of a fight.

I mean, I am just giving you instances of things that happened. I help a lot of promoters make their fights and I never go by the rankings because rankings are political, very political. I made three world champions because I was Jimmy Montoya who did not give a damn. And I did my job and I pushed my kids to beat the best and that is why they became champions, Hector Camacho, Rich Sandoval, and Kid Mesa.

I really believe that there is a lot to be improved in boxing, a lot of things that have to change, a lot of things for the safety of the fighter. With me it starts at the gym. I own the gym. I never see any commissioners come into the gym. I never see any people that represent the fighters come into the gym and question, or just come in there to see.

When you see a fight, I can make any fight, and I can make a hell of a fight. I know almost every fighter around the world, because that is my business. I do not go for the money. A lot of people, they used to call me the meat wagon. I call myself the prime rib, the best. Like Macho Camacho says, "I came to you, Papi, because they call you the meat wagon. And I am no good, I am a dope addict. Everybody—you know—talks about me. They say this and that. So the worst has to be with the worst."

There was a charge on Macho Camacho by the New Jersey Athletic Commission that they found marijuana in his urine after the Louis Firth fight, January 19, 1985. It took them 9 months to notify me of it. He fought three fights prior to that. Is that right? I mean, do people let something continue? Are they going to let the same wrong be committed if it is true? Or is it a political thing that they raised at the time that they want to be noticed?

I will not take much more of your time because what I have expressed is something that is in my heart. We do need some kind of reform, and I think that my associate Patrick Melendy will give you an idea of some of the things that we have done indepth, in the last 3 years. It has cost us a lot of money out of our own pockets, but it is something that you are talking about, and you are going to be very astounded, because this thing is happening. You are talking about it, we have already done it. And it is something that anybody can utilize.

Thank you very much, gentlemen.

Mr. MURPHY. Thank you. Mr. Melendy.

STATEMENT OF PATRICK MELENDY, ASSOCIATE OF JIMMY MONTOYA, BOXING MANAGER

Mr. MELENDY. First of all, gentlemen, as the paper indicates, the witness list, I am not a promoter. I am an associate of Jimmy Montoya's.

First and foremost, what I have been hearing today are people giving testimony regarding issues dealing with safety factors and other similar conditions within professional boxing.

As Mr. Montoya, as Jim Montoya has explained, we have taken a different approach. We think that if we are going to begin to resolve any of the problems in professional boxing we have to begin with organization. We have to establish an organizational structure that will put forth all of the criteria that we need to govern ourselves internally.

In doing so, in the last few years, we have put together MORAMP, Manual of Operations for Regulation, Administration, Management, and Promotion of Professional Boxing.

Professional boxing currently faces a threat from public opinion that could bring an end to the profession as it is currently known. A limited number of individuals have called for the total abolishment of boxing, claiming that the sport has no value to society. Few of these individuals speak with a clear understanding of the sport, its participants, or the fans. If calls for abolishment continue, then we can expect very little to be accomplished in the upgrading of professional boxing.

In addition, the boxing community must be given a new level of respect and involvement by legislative bodies and the public. Current efforts to revise and create more meaningful roles and laws must be conducted through open meetings, hearings, and workshops which allow all participation, at all levels, by managers, fighters, promoters, trainers, and physicians.

Mr. MURPHY. Mr. Melendy, if you would like to summarize your testimony, we can submit the entire amount for the record, if you would wish.

Mr. **Melendy**. Here are a couple of statements that I want to file. Thank you, sir.

Mr. **Murphy**. Fine. Any part of it that you could not get into your remarks are submittee for the record——

Mr. **Melendy**. I understand; yes.

Mr. **Murphy** [continuing]. We will consider the whole thing.

Mr. **Melendy**. OK. And I am summarizing a lot. Thank you.

The need for the development of standard boxing rules and regulations is important to the survival of the profession. The managers, trainers, fighters, and promoters are extremely aware, however, of the industry's current status. They are aware that historically, when a crisis has arisen in the industry, they were excluded from the developmental process. These individuals who give boxing its lifeblood must be involved in the change process. They must have a voice in the laws, rules, and regulations that affect their lives.

The MORAMP concept provides the professional boxing industry with a sound method of surviving as a profession in the midst of social controversy and criticism that the sport should be abolished. Those people in the boxing industry who are in a position to recommend and influence change have several options facing them at this time.

They include: One, letting boxing continue to maintain its current structure and goals in the face of public controversy and political controversy; two, waiting until the U.S. Government establishes a Federal boxing commission that will create and enforce uniform rules and regulations at least for the United States and its protectorates—and the term that we want to use here is federally chartered commissions; and three, to take the initiative ourselves to implement internal reorganization of professional boxing using people and resources from within the industry and from the existing organizational and authoritative structure.

If we follow scenario one there is no doubt that social, political, and professional pressure will lead to a decline in televised contests due to organized citizen boycotts against sponsors of televised contests and the networks themselves.

If scenario two is followed we can be assured that a Federal commission will mean that those people who really make boxing happen will not be represented fairly or equitably. Unfortunately, it is the history of governmental commissions to be ineffective while making changes in industries which eventually become contributing factors to a decline or downfall of that industry.

By following scenario three we can lead the way to internal reorganization that is free from outside intervention and overzealous citizen groups. Bringing a successful conclusion to scenario three, however, would demand that we of the boxing profession join together to work for a common goal of improving our industry's standards and activities so that they meet our internal needs and the social and political demands from outside the industry.

In terms of the effectiveness of our approach, in setting up the MORAMP manual, it addresses many of the issues that you talked about here today. We propose that a professional boxing council be established and beneath that professional boxing council an executive committee serve that council and beneath that executive committee we establish a standing committee process.

The standing committee process would be the work force of the MORAMP operation or the professional boxing council. The standing committee process would allow people at all levels of the industry to become involved in the regulation, in the establishment of rules, and in addressing current and future problems within the industry.

Most important, however, the MORAMP approach for establishment of a professional boxing council addresses boxing at the international level. That is something that national legislation cannot accomplish at this level. At some later date, as several people here have mentioned, you may want to involve people at the international level. It needs to be done from the beginning.

The other thing that is most important about Federal commissions is that even though you say—you know, people indicate, politicians indicate that the regulatory aspects will not be as great as some people think they will be, it always seems to happen that when the Federal Government steps in and becomes involved in the regulation of any part of society, or any program within society, the regulation becomes out of hand and the best interests of those people are not represented.

As an American Indian and enrolled member of the Hoopaw Tribe of northern California I am very aware of what the Federal Government can do in terms of commissions and how they can regulate people's lives. The gentleman from South Carolina mentioned that people in the industry need someone to look after them. It is that very kind of paternalism that will keep us from establishing the type of growth and the type of standards that we are able to contribute and establish.

More important is that people at the legislative level and people within the public have always looked at people within boxing as being unable to make any accomplishments, as not having the skills to organize themselves. Well, the same kind of attitude was directed toward minority people in this country during the 1960's and 1970's, and the minority people had to demonstrate clearly that, "Yes, indeed, we do have the skills." And the same thing parallels professional boxers and other agencies and organizations within the professional boxing industry.

We do have the skills to reorganize internally within professional boxing, and we do have the resources and the people with the abilities to make the accomplishments that we have talked about here today and that we demonstrate in MORAMP.

That is all that I have right now.

[The prepared statement of Patrick Melendy follows:]

PREPARED STATEMENT OF PATRICK MELENDY

We are here today to inform you of our concerns regarding internal reorganization of the professional boxing industry. M and M Productions proposes for your consideration an operational manual that addresses the concerns outlined in H.R. 1689 and many more issues related to critical needs in professional boxing.

SUMMARY

Professional boxing currently faces a threat from public opinion that could bring an end to the profession as it is currently known. A limited number of individuals have called for the total abolishment of boxing, claiming that the sport has no value to society. Few of these individuals speak with clear understanding of the sport, its participants, or the fans. If calls for abolishment continue, then we can expect very little to be accomplished in the upgrading of proboxing.

There are many people who have their own ideas concerning the need of the boxing profession. Some of these ideas are the result of research projects, some are the result of personal experience and some are the outcome of emotional reaction to major problems or incidents. This culmination of interests and concerns has contributed to much confusion and conflict as to what should be done to bring about positive changes in the boxing profession.

The boxing community must be given a new level of respect and involvement by legislative bodies and the public. Current efforts to revise and create more meaningful rules and laws must be conducted through open meetings, hearings, and workshops which will allow participation at all levels by managers, fighters, promoters, trainers, and physicians. The need for the development of standard boxing rules and regulations is important to the survival of the profession.

The purpose of MORAMP is to implement a process that will allow individuals and groups to influence change concerning the needs of the profession and implement actions that will bring about required changes. Any process for change requires that people communicate and cooperate. We propose to address the current issues in professional boxing, gather comments and develop recommendations that are realistic and geared for implementation in the form of rules, regulations, policies and procedures.

It is our desire that this developmental process be concluded with the creation of standard policy and procedural manuals essential to the future progress of the procession.

The managers, trainers, fighters, and promoters are extremely aware of the industry's current status. They are aware that historically when a crisis has arisen in the industry, they were excluded from the developmental process. These individuals who give boxing its life blood must be involved in the change process. They must have a voice in the laws, rules, and regulations that affect their lives.

PROBLEMS

There have been ongoing problems associated with the boxing profession historically and more recently since the highly publicized death of several well known fighters. Past efforts to reorganize or revise the rules and regulations that govern boxing have met with a high level of conflict among participants.

Different groups have different goals, aspirations, needs, and expectations that differ from each other. As long as these differences exist, conflict will occur. Unfortunately, many people tend to think of conflict as negative—something that should be avoided or quickly eliminated if it does occur. But conflict has its positive side too. It can be a source of new ideas or creative solutions to tough problems.

Problems may stem from many sources however, some of the more typical ones have been value differences, goal differences, role pressures, and perceptual differences. They include but are not limited to the following:

The boxing regulatory system;
The physical effects of boxing;
Ring safety;
The medical consequences of boxing;
The concerns for a federal commission;
Standard rules and regulations that are uniform throughout the profession;
Pre and post fight examinations;
The need for a boxing research and development center; and
The need for fighters rights.

It has often been difficult for diverse groups with a common concern of upgrading boxing to come together and constructively communicate with each other. By utilizing a plan of action we will be able to effectively tap into the energies and resources that the boxing community and government can offer. Most fighters, managers, trainers, and promoters want a greater hand in shaping the changes and regulations that will eventually take place. Participants in a plan of action can serve as a balance between factions that hold differing opinions of boxing regulations and other dimensions of the profession. Those attending meetings and workshops will need to convey their comments and suggestions concerning organizational changes and legislation, agree to support final changes and assess the results, as the changes and regulations are implemented.

The MORAMP concept provides the professional boxing industry with a sound method of surviving as a profession in the midst of social controversy and criticism that the sport should be abolished. Those people in the boxing industry who are in a position to recommend and influence changes have several options facing them at this time. They include:

1. Letting boxing continue to maintain its current structure and goals in the face of public and political controversy
2. Waiting until the United States Government establishes a Federal Boxing Commission that will create and enforce uniform rules and regulations at least for the United States, and its protectorates
3. Take the initiative to implement internal reorganization of professional boxing using people and resources from within pro-boxing existing organizational and authoritative structure.

If we follow scenario there is no doubt that social, political, and professional pressure will lead to a decline in televised contests due to organized citizen boycots against sponsors of televised contests and networks themselves.

If scenario 2 is followed we can be assured that a federal commission will mean that those people who really make boxing happen will not be represented fairly or equitably. Unfortunately, it is the history of governmental commissions to be ineffective while making changes in industries that eventually become contributing factors to a decline or downfall.

By following scenario 3 we can lead the way to internal reorganization that is free from outside intervention and overzealous citizen groups. Bringing a successful conclusion to scenario 3 however would demand that we of the boxing profession join together to work for a common goal of improving our industry's standards and activities so that they meet our internal needs and the social and political demands from outside the industry.

The manual MORAMP has been developed specifically for use by people in the boxing industry; it can be used to develop legislation, conduct a unified championship contest or to implement standard procedures for training fighters; it provides the organization, policies and procedures required to fullfill the need for INTERNAL reorganization as described in scenario 3.

In terms of the establishment of a federal commission and the impact that such a commission would have on both the national and international levels of boxing is quite evident. The fact remains that most championship contests are held in the United States, in addition most of the money that sponsors the fighters and promotions comes from television networks and U.S. corporations. It stands to reason then that any creation of a federal commission in the United States would have tremendous impact upon financial resources at both the national and international levels of boxing.

For instance if a federal commission decided that the rules and regulations of a sanctioning body outside of its (the government's) jurisdiction did not meet federal commission requirements the commission could ban that sanctioning body from holding contests in the U.S., thus affecting television and corporate funding.

In short, to let the industry stand as it is can only lead to federal intervention and control of professional boxing. To stand by and allow federal intervention to take place will mean a clear loss of self-determination and self-government for the boxing industry at all levels. In reality our only real option is to take the lead ourselves, the people who now make up the boxing industry, must initiate our own reorganization and clearly establish our authority to govern ourselves as the professional boxing industry. Failure to do so will almost certainly lead to the eventual demise of boxing as a sport and profession.

One of the primary questions that must be asked is, how will MORAMP help the boxing industry to overcome its current problems and prepare to deal effectively with the future of boxing. First and foremost, MORAMP materials have been prepared as a result of specific needs within the industry. It is the first operational manuel ever designed to effectively meet the regulatory, administrative, management and promotional needs of professional boxing.

After must review of boxing's current status the authors of the manual concluded that professional boxing had demonstrated the following needs:

1. the need to establish an organizational structure, capable of meeting the many issues at all levels of professional boxing
2. the need to develop a uniform set of laws, rules, regulations, policies and procedures for professional boxing at the national and international level
3. the need for short and long range planning capabilities for all levels of the boxing industry

4. the need for equal representation from all levels and areas of the boxing industry

5. the need to establish a unified championship at all weight levels

MORAMP addresses the above needs and many more that exist within the boxing industry. The manual provides a method that allows the existing structures in professional boxing to remain as they are, maintaining the same level of power and authority that they have always enjoyed.

The MORAMP approach provides a standing committee structure, that includes as the supreme authority for all of pro-boxing the "Professional Boxing Council" ("PBC"). The PBC will be comprised of representatives from sanctioning bodies, state and international commissions, promoters, managers, trainers, fighters, and a representative from the field of medicine.

Directly under the Council will be an executive committee. This committee will be comprised of the chairman of the PBC and the chairman of each of the standing committees. This executive committee is essential to the promotion of conducting effective business at the full council level. It is this committee that will screen all matters coming before the full council, and make certain that the business acted upon by the full council is properly prepared and that all related matters for specific agenda items have been thouroughly reviewed and commented upon at the standing committee level.

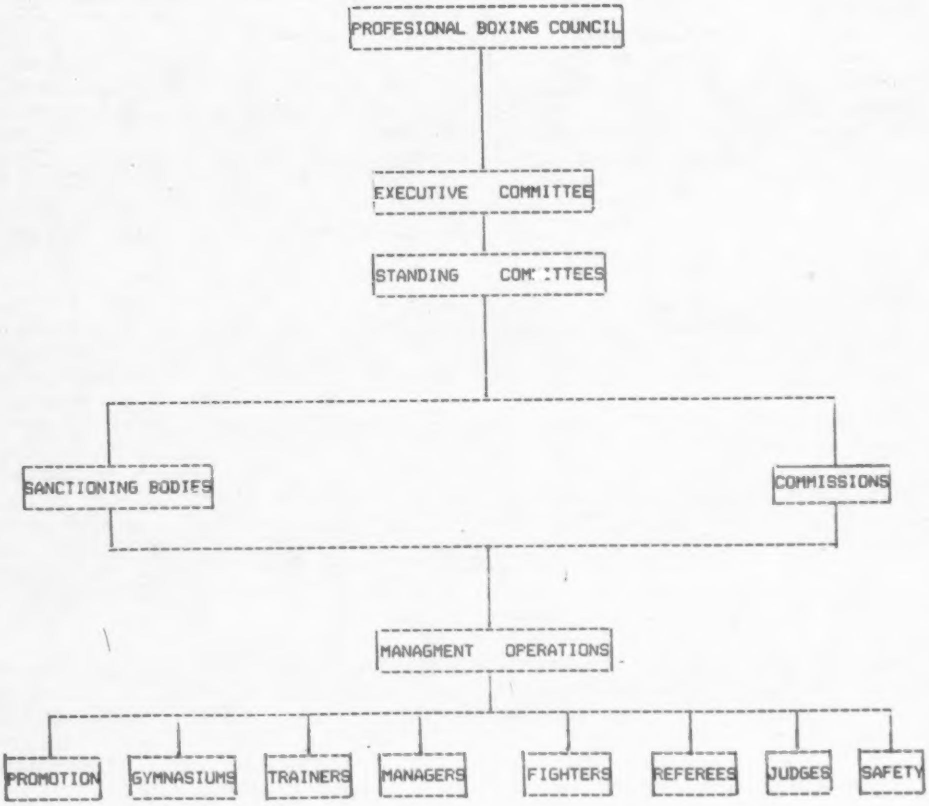
The standing committees operate directly beneath the executive committee and each of the standing committees report directly to the executive committee and the full council. The standing committees serve as the primary area for addressing issues and developing legislation to be introduced to the full council for action. Standing committees will be comprised of a representative of the full council who will sit as the standing committees will be comprised of a representative of the full council who will sit as the standing committees chairman, other members of the committee will be selected from both professionals and lay persons from the various segments of the boxing industry. Standing committees may present new issues before the full council for approval and adoption, they may appoint sub-committees to investigate or report on specific issues or areas of concern. Proposals may be submitted to the standing committees from the public, from members of the industry, sanctioning bodies, commissions, or directly from the full PBC council. In short, the standing committees are the work horse of developing organizational structures and rules and regulations within the industry, they are the mechanism that can be used by the entire industry for the development of new programs or to provide checks and balances for existing areas of industry operation.

The next level of MORAMP after the standing committees is the Sanctioning Bodies and Boxing Commissions. This level represents the administrative level of Professional Boxing. It is at this level that the day to day administrative functions are carried out by officials and agencies. Commissions and Sanctioning Bodies will give official approval for certain events to take place and will recommend certain changes within the rules and regulations that result in administrative policy and procedures.

Commissions and Sanctioning Bodies will operate as semi-independent entities of the PBC, and will be charged with enforcing the rules and regulations that are used daily at all levels of the industry. In brief, these two bodies will operate independently yet maintain an effective working relationship with each other and the standing committees and full PBC council.

Directly under the Commissions and Sanctioning Bodies are all of the programs that will be considered as Management/Operation. It is at this level that the real work of the industry takes place. At this level the promoters, managers, boxers, trainers, seconds, referees, judges, and other workers take the brunt of the responsibility for the success or failure of the sport and the profession.

At this level all of the action of management takes place, along with operation of programs and events. Fighters are trained, boxing contests are promoted, contracts are struck, and contests are held. The people at this level as well as the administrative level will have an equal voice in the regulation and advancement of Professional Boxing. They will be represented on the full Council and on the standing committees. In short, the workers, makers and shakers of the boxing industry will be fully and fairly represented when it comes to issues that effect their lives, careers and the industry itself.


PROFESIONAL BOXING COUNCIL
EXECUTIVE COMMITTEE
STANDING COMMITTEES
SANCTIONING BODIES
COMMISSIONS
MANAGMENT OPERATIONS
PROMOTION
GYMNASIUMS
TRAINERS
MANAGERS
FIGHTERS
REFEREES
JUDGES
SAFETY

STATEMENT OF MARK RISMAN, ESQ., ATTORNEY FOR JIMMY MONTOYA, BOXING MANAGER

Mr. RISMAN. Mr. Chairman, my name is Mark Risman. Besides representing Mr. Montoya in this matter I have also had the experience to represent many of the laborers in this sport, the boxers, in instances involving improper contracts, one-sided negotiations. Among my clients have been Larry Holmes, Trevor Burbeck, Lonny Smith, Peshar Ali, all who are holding current titles.

I would like to add some issues that I believe this subcommittee maybe should look at in considering alternatives to the current legislation or implementation of the legislation as it goes in. I think Pat and Jimmy's concept of the MORAMP and an internal organizational setup within boxing to regulate itself by far is the best method and I think that concurs with not only Mr. Rogich's and Dr. Romeo's testimony, but also some feelings Mr. Williams has expressed himself.

First, I think it should be noted one of the purposes of State athletic commissions, particularly in New York, New Jersey, and Nevada, and the State of California, is to help bring bouts to the State, to help bring and stimulate the economy through the sport of boxing. I think when that is recognized, that is an important factor before deciding that all of a sudden all these State commissions are going to group together for one, and on behalf of one common purpose.

In no other sport does any Government entity chartered or otherwise choose who is No. 1. In college football there is no unanimous consensus who is the No. 1 team. And yet I do not see any motion on the House floor for a Government body to overtake UPI or AP to determine a champion in those sports. Using the State athletic commissions or even a national committee would involve not only State favoritism in the selection but I also feel it would give us a sense of isolation from the rest of the boxing world in that we may be a little overly chauvinistic and have a tendency to recognize our own fighters ahead of those who come from other countries such as Durand, Arguello, and others through the course of history.

As far as the WBA, WBC, IBF, we could add in NABF and USBA. I remember when the baseball—well, I do not remember when, but baseball started off with just the National League. Soon it expanded to the American League. Then you had an eastern division and a western division in each professional sport.

The different rating systems, like the different divisions in professional sports, stimulate excitement and competition and give more people a chance at the top, more people to compete for the higher dollars.

Again, when you talk about other sports, not only are they not regulated, as has been pointed out, but the labor problems in baseball stem from Federal intervention regulation with the exemption from the antitrust clause. There is no positive intervention by any Government body that has contributed to the labor aspects of professional sports.

When you talk about mismatches, I have seen, in every sport that I have attended or watched, one-sided games and matches, whether it be football or baseball. In basketball every year a small college in Hawaii named Chaminade plays a high-ranking power during the Christmas tournament when the club wants a vacation to Hawaii. And I remember 2 years ago when lowly Chaminade pulled off an upset in beating the University of Virginia with Ralph Sampson. The giant killer is part of the American dream.

Take a look at the "Rocky" series, I, II, III, and IV will soon be coming. It is about a club fighter who had the chance to go in the ring against a national champion.

Another mismatch would have been, for baseball fans, with a Roy Euler, who is a 170 hitter, would face a Bob Gibson in a World Series competition.

We referred to the drug addiction of Aaron Pryor. His addiction did not come from the sport of boxing, it came from success; it came from money. Certainly we do not want to regulate one's ability to earn in any business. Despite the fact that I think every employer should be concerned, I do not think the State or the Government can mandate an employer to understand the problems of drug abuse when it is not job-related.

Ken Norton brought up health insurance and retirement benefits. I think that is very important but nowhere do I see that as part of this bill. For the information of this committee, there is an organization called the International Boxing Hall of Fame which has currently been founded. The city of Las Vegas has donated a substantial amount of land for them to form their offices and building. They also had a fundraiser in which Bob Hope and George Burns participated.

Their main goal is to provide this type of retirement and health benefit system, not only to current fighters but to former fighters. I am proud to be a director-elect of that organization, too.

When referring to mismatches, Mr. Montoya said it is a question of style, and one protection boxing does give, almost anywhere that fans are going to pay money to see a fight, is equality at least in size and weight. That is why you have so many different divisions. Sure, within those divisions there are various levels of competition, but in no other sport is the athlete so protected as to only be competing against someone of their own physical size and stature. Certainly it is far more dangerous driving in a little Subaru on the highway when you could be hit by a 40-passenger bus.

Mr. MURPHY. How about Tony Dorsett getting hit by some of those big linebackers?

Mr. RISMAN. That is right. Or Franco Harris since you are from Pennsylvania.

As far as the problems with the State of South Carolina the gentleman mentioned they could not even get their own State legislature to act. I believe the 10th amendment in the Bill of Rights dictates that in these areas of health and safety it is first the responsibility of the State. Can the Federal Government say, because the States are negligent and you cannot even get the people to get their own State legislatures to respond, that now Big Brother must come in and oversee that?

A possibility, to go with MORAMP, is that in the commercial code and in child support payments States have voluntarily gotten together and formed what they call the uniform codes. I think that is what the MORAMP concept is, rather than a federally chartered corporation.

Any racketeering or improper gambling or bribery certainly falls within the jurisdiction of not only the Federal Justice Department, but any State attorney general's or county district attorney's office and need not be addressed by additional legislation.

One other thing that Pat brought up that I would like to make in closing, that if these bills should pass and we are discussing implementation, that negotiation should be conducted by whoever would be responsible before the appointment of this board, with the various international organizations so that this corporation would have representation and a vote on these various boards. Maybe it is from that liaison that we would have input into the ratings. But I strongly disagree with the Federal Government through a charter corporation or what have you overtaking international organizations in determining a ranking system, because it just is prone to the same problems that every other organization has been facing.

Mr. **Murphy**. Thank you. Counselor, could we have your full name, please?

Mr. **Risman**. Yes. It is Mark Risman, R-i-s-m-a-n.

Mr. **Murphy**. Thank you. I have one question, Mr. Montoya. Ken Norton told us he thought that the boxing profession is controlled by a very few people. I think you mentioned No. 3. What is your assessment of that?

Mr. **Montoya**. Well, let me put it this way. Politically, boxing is, you know as well as I do, that it is controlled by a lot of people, different people, different promoters. It is also controlled by the media, by the television networks, because it is political, again.

If, for instance, I can have Alex Ramos, he used to be the one or two contender in the world, he lost on two occasions, and immediately forgotten. He came back with me. Now I have to go to certain promoters, certain political forces, so I can get him back in the rankings, get him back into action.

I guess what I am trying to say is this, I care is enough. Once I was in Hawaii and a really dear friend of mine who taught me a lot about this with the incentives, Ichinoso, says, Jimmy, why ain't you in politics? I said, I'm not interested in politics. I'm in greater politics than I ever was. Nonsense.

Which is true. And we all know, for instance, you know, I have a No. 1 contender. I have a kid that beat No. 1 and all those ratings. Political again.

Mr. **Richardson**. Who was that?

Mr. **Montoya**. Pardon?

Mr. **Richardson**. Who was that?

Mr. **Montoya**. Lenny Valdez beat Viesana, Hernandez Viesana. He beat him in Mexicali and he never got ranked. So we are taking a special deal of that.

And I think one thing I'd really like to mention, for instance, Chris Schranke is my fighter. He almost died about July 21. He walked out of the ring and went unconscious, went into a coma, lasted in a coma for 3 or 4 days. He was operated on 4 hours after he got to the hospital; brain surgery. He rated Kid Maynard because he was very physically prepared. And one thing that I do have in my fighters, my fighters will not get into that ring if they are not prepared. The first thing is not the money, not anything, it is their physical condition. This kid's bill is $140,000 right now. My insurance only covered $20,000, and I will fund-raise the rest of it because of some people that I know will help.

Mr. RICHARDSON. I commend you for taking care of your fighters, Mr. Montoya, but what about the other young men, the ones that your boys are going up against? Do you think that the current system of enforcement in the States, individual States and Mexico too, are taking care of their safety?

Mr. MONTOYA. Well, when we are talking about safety, safety begins in the gym. See, one of the things, one of the rules that I have in my gym is, for instance, I will not take a penny from any of my preliminary fighters until they start making $1,000. What I do is, I take the third that is supposed to go to management and make them buy equipment. By that it means, the newer the equipment is, the better results you get.

Mr. MURPHY. Where is your gym?

Mr. MONTOYA. Bell, CA.

Mr. MURPHY. Bell, CA?

Mr. MONTOYA. Yes. The Montoya Club. And I have had a gym for the last 10 years, different gyms. But what I am saying is, many people do not understand this, you see. They are kids. They have new gloves, they are well padded. If they have new headgear, better protected, if they have better cups, better protected. So periodically check their equipment and make sure that it is good equipment. We do not worry about the money, we worry about the type of equipment that they are wearing, because there are kids that go into this for the hell of it, and there are kids that have to fight because they have to make a living. And there are kids that will never amount to anything but if you cannot fight you are a nobody. You go ahead and let them get tired of it, you protect them as much as you can, and then you try and talk them out of it, put them into a different job or educate them in a different way. You know, that is about the best you can do with anybody. You just cannot say, hey, you cannot fight, you are never ever going to be a champion. Because kids will surprise you.

Mr. MURPHY. Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chairman. Gentlemen, we appreciate your being here. I want to assure all of you, particularly those of you who said that we need to get input from boxers and people in the sport, I want to assure you that that is what we do. That is why we have come to Las Vegas instead of saying, if you want to testify come all the way back to Washington.

Mr. MONTOYA. Thank you.

Mr. WILLIAMS. And we have come out of Washington before. This is not the first time. And Congress is not in a hurry. They have spent 25 years on this bill or on bills like it. So there is no big rush on. Nobody is trying to do an end run or a slam dunk here. We are taking a lot of time. We are talking to a lot of people. I will tell you what, we are taking too damn much time.

We have taken a quarter of a century. Estes Kefauver had a bill a quarter of a century ago. This sport has a colorful history. In the 1800's the public decided they wanted it banned. That was the answer then. Today it is something called MORAMP. Then it was banning and they tried to ban it and the sport went out on barges in the Mississippi River. It kind of went underground. It did not go under water but it went out on barges and they kept it going and finally it came back. In the 1920's it came back big because of Jack Dempsey and something called radio.

There were efforts then to reform it. And boxing said, we can do it ourselves and the public said, all right. And then in the 1950's—the sport diminished between about the 1930's and 1940's; it was not as big then. Then in the 1950's it came back again because of television and it was on television all the time. That was its heyday, with regard to television; not today, not the 1980's and 1970's; in the 1950's and the early 1960's.

And then in the 1960's the public, having waited all this time—they had waited 50 years for boxing to clean itself up with anything, the WBC, the WBA, State commissions, MORAMP, you name it. The public said, well, go ahead and give it a try, and nothing worked. So in the 1960's Estes Kefauver looked at it with the Senate Subcommittee on Antitrust and Antimonopoly, and he found that boxing was probably the most corrupt and corrupted profession in America. We tried to do something about it and I think maybe we would have, because the public was demanding it. But Estes Kefauver died and Congress had neither the stomach or the understanding to carry it on. And so it came apart and it was back in your laps again.

Now has anything happened since the 1960's when Congress really first took a whirl at this 25 years ago?

Yes, there has been some improvement. Something else has also happened. About 190 people have died in the ring, not all of it avoidable but most of it.

Some 8 years ago the Congress got serious again at the end of the 1970s, it got real serious and 4 years ago began to introduce legislation again. I introduced the first bill 2 years ago and I was told to wait; boxing was about to form an association. In fact, that is what they told us 8 years ago. They were about to get it together.

So the public said, well, let us wait and see how they do. Well, some things have happened in those last 2 years; something else has happened—29 people have died in the ring. The night I introduced this bill, May 30, in a place called Maryville, IN, a kid named Sean Thomas fought pretty good for six rounds and, I think, in the seventh he got entangled in the ropes. He took too many blows before the fight was stopped and a month later despite surgery he died.

And the public said, why was this kid allowed to fight 33 days after he took a brutal beating? Because the autopsy seemed to demonstrate that it was the previous fight, not the entanglement in the ropes, that really led to his death.

Now you are in front of the same. Give us a little more time. We have got something called MORAMP here, and if you will just give us a little more time boxing can clean itself up. Well, maybe we ought to wait a little longer, but I have my doubts. I think 100 years is long enough, and I think 25 years of the Congress looking at this and being asked to wait and agreeing to wait while we see unnecessary injury, unnecessary death, corruption, misfights, fights that go on too long, 45 different sets of rules and regulations; a great sport that cannot get itself together. I think we have waited long enough.

Mr. MONTOYA. I would like to——

Mr. WILLIAMS. Mr. Chairman, we have not heard from this young man.

Mr. RAMOS. As a fighter I say, you know, that there is a lot of deaths in the sport of boxing. I feel that a lot of physicians in the sport of boxing should have fighters get checked up. A lot of times there are a lot of fighters that have been killed in the ring.

For example, I know a fighter from New York, Willie Klasin, died in the ring. Willie Klasin, you know, was in the use of drugs. They do not know what happened. He got hit a lot of times in England prior to the fight, before that. And he had blood clots. They didn't have a physical, they didn't, the right physical for him. Now they come up with the things of brain scans and all that, and you don't know if you have whatever it is on top of the brain, blood vessels——

Mr. WILLIAMS. Do you think we ought to require brain scans if somebody has had a serious beating?

Mr. RAMOS. Well, you know——

Mr. RISMAN. The State of New Jersey already does, once a year.

Mr. RAMOS. That is what they do.

Mr. WILLIAMS. One State.

Mr. RAMOS. New York, I know. As far as when you are knocked out, I know prior to your next fight you have to have a brain scan, because it has happened to me.

Mr. MURPHY. Does Las Vegas too?

Mr. RAMOS. Las Vegas also.

Mr. RISMAN. New Jersey.

Mr. Williams. Is that a good idea though? Should we require it around the country?

Mr. RAMOS. Well, I think they should. I really think they should.

Mr. WILLIAMS. The question then is, How would we require it? There is only one authority that can require that, Al, and that is the Federal Government. There is no other authority that can require it. See, there is the dilemma.

Mr. RISMAN. The State of New Jersey already does, the State of Nevada does, and the State of California and the State of New York.

Mr. WILLIAMS. That is only four. Kids get hit in Montana too, you know.

Mr. MONTOYA. You know, Pat, I think they have the misconception of MORAMP. MORAMP is not an organization. MORAMP is——

Mr. MELENDY. You see, Mr. Montoya, being the outstanding manager that he is, is well aware of the problems and the concerns and the conditions in professional boxing. That is why he has gotten in touch with people like myself and others and said, look, we have to change conditions internally. We have to make changes. We have to go out and reeducate the people in professional boxing. That is why we are going to Bangkok, Thailand, to get on the agenda for the WBC, to start the reeducation process right there. That is why we have a plan of operation for not only the development of this manual, but a plan of operation that takes us through the entire steps and procedures for getting this manual promoted, endorsed, and adopted at all various levels.

It is not some document that we just write and throw up in the air and expect people to adopt it.

Mr. **Williams**. I understand.

Mr. **Melendy**. We have been through this legislative process at many different levels, and we know what is required of us. You do not have to wait. You can go ahead and promote your legislation; that is great. But what we are telling you here today is that we are not waiting either. We are not waiting for people outside of professional boxing or inside of professional boxing.

Mr. **Williams**. I commend you. If I was you I would not wait any longer for the Congress to move either. Twenty-five years, that is enough.

Mr. **Montoya**. No; we are not waiting. But the thing is this, you see, this book is a priceless book. It is not just—it is illustration, it is teaching, training, definitions, operations, management. It has got everything. And this is experience that happened to me personally. I mean, I lived through them. I mean, I was in a corner, whether it is the death rates, whatever. But we are saying, a right hook, a left hook, or whatever it is, we explain it, we show. In libraries you will see videos, in boys' clubs you will see videos, where kids can go and see what the art is all about. We are not talking about making an organization. What we are talking about, here is the material. WBC, WBA, join, take whatever you want, pick it out of here, utilize it. Because I want to tell you something, a lot of people are sitting on commissions and do not know a thing about boxing. They do not even associate themselves in the gyms. They do not even know what a fighter is.

They talk about mismatches, they talk about this, they talk about that, but you know what? Have they ever really gone and taken their time to represent, the people that are representing the boxers, and going to see how they train or what they are all about?

I rate—the California athletic commission, I call them up and they say, I cannot approve these fighters. Oh yeah? Well, I will tell you what. The record is not good enough. You come on down, see them work out, and you tell me about it. They come in and say, "God, he impresses me a lot. We will okay the fight." You do not have to do that. People should have enough faith in certain people to be able to listen and understand.

Let me give you an example. Let us say you do form the committee or the corporation or whatever, you know, which is fine. We need some help. We need people to put the law down. At the same time, do not make the mistake and forget the person that is your representative, not to be sitting on that board to give you the advice and the understanding of what you are representing.

Because here, and I have said it in many communities, we have dealt with many hearings in the Senate and in Congress, for years—Senators Hatfield, Packwood, Montoya, all of them, they call us in for hearings to testify, because we had the expertise at that time in certain issues that they were representing. And all I am saying is that, represent the people and let the people represent themselves by having an advisor of the people that you are dealing with.

Mr. **Risman**. Mr. Williams, very quickly, on your mention of the deaths, I think the deaths concerning drunk driving far exceed those in boxing, and yet there is no Federal legislation on that, there is no uniformity State to State, as far as penalties or even as far as standards of presumptions of intoxication. There is no Federal standardization of jail conditions, and yet there are far more deaths in the jailhouses every year in this country than there are in the boxing ring.

My only point is, with people like Mr. Montoya and Pat, you say boxing is delayed internally, yes; but so is Congress. Again, I think it is something that maybe we need the pressure that this committee is putting on to organize within the sport.

Mr. **Williams**. Well, boxing tries to move very prudently and cautiously because we believe that is what the people want. With regard to deaths on the highway, it simply is not so that Congress has not moved in that area. It has, to great criticism, for example, in requiring seat belts. And the Congress has gone about as far as it can go in telling——

Mr. **Murphy**. In requiring minimum age drinking or——

Mr. **Williams** [continuing]. Minimum age drinking. Yes, Mr. Chairman. In requiring certain safety standards in automobiles. The automobile companies come down hard on us, but we have moved in that area and of course we have established minimum standards for jails and prisons, which is the other thing you mentioned.

But we did both of those things slowly, some think too slowly and some thing we should have stayed out of it altogether. But the point is this, Congress waits and waits and waits for the States or the profession, or whoever it is, to administer themselves. We believe in States' rights and the Federal Government historically has only moved when we found that the profession or the States were unable, just because of our system of 50 States, were unable to do it. That is when the Federal Government moves. That is why——

Mr. **Risman**. Mr. Williams, if your concern is as great as I sincerely believe it to be, do you not have contacts in the Montana State Legislature and you, sir, in the Pennsylvania State Legislature, and of all 429 congressional districts, to influence their colleagues within their own party and across the party lines, within the State legislatures, to get this kind of action on?

Mr. **Williams**. I am sure we do, but trying to move 429 Members of Congress to contact their State associations and get them all to agree to one set of regulations is an impossible task.

Mr. **Risman**. Well, maybe we do not need one set but maybe just 50 strong sets.

Mr. **Murphy**. Mr. Richardson.

Mr. **Richardson**. I have been listening. I was a little confused at the beginning about the thrust of this group but I think I understand it now.

I think what you are saying and what we are saying, we have the same goals. The problem that we have and you have we being Pat Williams and Bill and Mickey Leland and—well, Austin, he is a powerful man—but Pat and I, we have no clout, in effect, because we have not gotten our bill passed. With all due respect, you guys do not have any clout in the boxing community because no one has heard of MORAMP. No one mentioned it before you came here.

Mr. MONTOYA. It has not been put on yet.

Mr. RICHARDSON. Jimmy, wait till I finish. I think there is some good ideas in MORAMP and from what Pat mentioned, and I think we are coming at the problem in different directions, and it may be that our interests may coincide, us by pushing toward some kind of Federal body—I do not know how extensive it will be—and by you moving internally within the boxing community.

Now, I have heard of you, but at the same time I also hear the people before you. They had this big summit meeting in Dallas, 13 commissioners, boxing people. Were you invited?

Mr. MONTOYA. No.

Mr. RICHARDSON. OK. Well, neither was my friend from South Carolina. So you know, there are these self-appointed people within the boxing community that are trying to do their thing. I think, Pat, I sense some anger in you. I commend you for that, but I think your anger has to be directed properly, in good channels, and in working within the boxing community to get people to accept your idea.

Mr. MELENDY. Well, maybe it is a little frustration more than anger. But what I want to indicate to you is that, you know, every once in a while there are people that come along and they do exceptional things, and they can bring people together and they can make advancements that other people cannot accomplish or other people cannot do.

We feel that we have confidence in ourselves that we can initiate that type of action. We did it in the State of Oregon between 1971 and 1976 and we received not only national but international recognition for that kind of movement.

The same thing has to take place in boxing. When we talk about the terms, of how things need to change, the resources have to be there and people have to be educated. You cannot tell the WBC or the WBA or the NABF that they have to do this, this, or this, without giving them the kind of proper direction in education that they need and how to go about accomplishing those goals and doing it in timely fashion.

Mr. RICHARDSON. I agree with you.

Mr. MELENDY. That is what we are about.

Mr. RICHARDSON. Well, what you have to do is, you have to get credibility. You have got to get them to respect what you say and you have got to move internally within these circles to at it.

Mr. MELENDY. This is the very first step, of taking this MORAMP to the public. You will hear more of it in the future.

Mr. RICHARDSON. I am with you. I wish you the best and I think it is important.

Now, I want to just go back to a specific item. I do not know if you were here when I talked about Aaron Pryor and you managed Macho Camacho?

Mr. MONTOYA. I managed Macho Camacho.

Mr. RICHARDSON. And from what I hear, he has got some problems with drugs.

Mr. MONTOYA. Let me say this, please, OK? When Macho first came to me, everybody said, you are crazy, he is a dope addict, and you are going to have nothing but problems. I swear to God, this kid is so clean. This kid goes to bed at 9 o'clock at night. I could not even believe it myself; I expected all kinds of problems. I read all kinds of problems in the media. This kid gets up at 4:30 and runs, does not mess around with anything. I have a letter that I will leave with you that was sent to the State of New Jersey because of the things that they did. But believe me, Macho Camacho does not mess with drugs. If he did at one time, he did, but he is clean.

Mr. **RICHARDSON**. I am glad to hear that. My only point is that there is no body, there is no unit that can prescribe a drug treatment to a Pryor or maybe Macho in the past, or maybe other fighters that you know and I know have this problem. And maybe Mr. Ramos can enlighten us a bit on what we might do.

All our point is—and counsel, a lot of things you said, I am not going to get into it, but I really do disagree with you about correlating drunk driving and boxing. I sense that you are behind this MORAMP concept but at best my assessment of what you are telling us is, do not do anything. We can reform ourselves. There are not really that many problems.

I will let you answer to me because that is what is coming across as what you specifically are telling me, and if you are representing boxers I would want a little bit more, I guess more concern than what I think I am hearing from you. So I will allow you a little time on my questions.

But, Mr. Ramos, is there anything you want to add about the potential federal umbrella in terms of insuring that fighters do not go the route of Aaron Pryor and so many others?

Mr. **RAMOS**. Well, I feel there are a lot of athletes that are using drugs anyway. I feel that they should—again, it is what I feel, that physicians who come there, where they should have the urine test before fights and examine fighters to know if they are into use of drugs. They do not do that. They have just started doing this just recently. I think it was after Aaron Pryor or to Arguello, when they claimed that they had something in the bottle.

You know, I feel that that is what they should do because there are a lot of athletes besides boxing that are in the use of drugs, and there should be a lot of exams to find out. There should be tests, they should have tests, some kind of tests to tell what kind of an athlete you are.

Mr. **RICHARDSON**. Counselor.

Mr. **RISMAN**. In regard to the drug issue, most professional athletes are young men and women between the ages of 18 and 35, and I would merely state, Congressman Richardson, that the percentage of drug abusers in the field of athletics is far smaller on a proportional basis than it is in the general community, the general citizenry, of young people in the same age category.

It does make for more sensational media headlines, but again, just as Peter Ueberroth was a very strong individual, was unable to mandate mandatory drug testing for the players, and why? Because Donald Fair who represents the players' union has blocked it, and his interests are certainly in the best interests of the players or so we are to assume, as their elected representative.

I say the same is true in boxing. If there is a drug problem, it probably has happened not due to the fact that someone is a professional fighter, it is generated by their financial success. Boxing does not breed or induce drug addiction.

Mr. **Richardson**. Well, maybe not, but you agree that drug addiction is bad, do you not——

Mr. **Risman**. I am certain——

Mr. **Richardson** [continuing]. And that we should do something about it?

Mr. **Risman**. Certainly.

Mr. **Richardson**. Whether it is drug-related or boxing-related or success-related?

Mr. **Risman**. Certainly.

Mr. **Richardson**. OK. Well, I cannot understand why you are not correlating these. If Aaron Pryor is a world champion and he had this problem because of success, he is still a boxer. I just checked. He has not announced his retirement. He is champion——

Mr. **Risman**. John DeLorean has not retired from the business world either.

Mr. **Ramos**. He has the IBF, as far as I know. But, I mean, it is like, again, you know, he is into the use of drugs. I understand the fact of help, but I mean, you can only help it so much.

Mr. **Risman**. You have got to help yourself.

Mr. **Melendy**. In relationship to what your comment is about, it is a concern of ours and in our manual we address that. We say, and we feel very strongly, that there needs to be drug rehabilitation and treatment programs available for professional athletes in the boxing industry. In addition to that, you know, we propose things like an international research and development program, an international resource information center dealing with the same kind of vital statistics and data that you are talking about, in terms of a boxers' registry.

Mr. **Richardson**. Will you submit a manual of yours for the record? I do not think——

Mr. **Melendy**. I will tell you what. We have given you simply an overview of that manual. The manual will be complete within 2 to 3 weeks and we are going to start the gathering-of-comment process. We are going to be holding hearings in different places and workshops in different places. When we gather those comments, the manual will be revised, changes will be made in that manual, and then it will be ready to——

Mr. **Richardson**. So it could be that that manual, which right now is not accepted by other commissions, through the use of our commissioner, through the enactment of our commission, might be a vehicle for your manual to be utilized by others——

Mr. **Melendy**. Right.

Mr. **Richardson** [continuing]. So we can work together.

Mr. **Montoya**. Sure.

Mr. **Melendy**. We intend on working with you better——

Mr. **Richardson**. And I commend you for your testimony, all of you, for your concern and wish you the best, and even though, you know, Mr. Chairman, Macho Camacho beat a New Mexico boy, Louie Burk—but he is a great fighter.

Mr. Montoya. Louie Burk used to be my fighter, believe it or not. Louie Burk was undefeated until he left me. His father died and the kid left, and he lost.

Mr. Richardson. You know, Mr. Chairman, yesterday I met a very interesting person that I think is doing the same thing you are. She is from Houston. Her name is Mrs. Abercrombie.

Mr. Montoya. I know her.

Mr. Richardson. She is very wealthy. I think she has a little more money than you do.

Mr. Montoya. Oh, on that——

Mr. Richardson. But she has got this stable of fighters and she provides a pension system, investments, health standards, a dormitory. It is really quite—I think she came to see you two. Quite impressive. And she manages Louie Burk now.

Mr. Montoya. Well, he is better retired now.

Mr. Richardson. Are you still in the top 10?

Mr. Ramos. Yes, they have me No. 11 now. The ratings, again, are political. The WBC is——[laughter].

Mr. Richardson. What should you be, about one or two? [Laughter.]

Mr. Ramos. I was inactive for a while and the WBC automatically knocked me off. I have not been active.

Mr. Richardson. You are a welterweight?

Mr. Ramos. Middleweight, 160 pounds.

Mr. Richardson. Do you have any fights scheduled?

Mr. Ramos. Well, he will let me know when——[laughter].

Mr. Richardson. He is going to meet with Don King tomorrow. [Laughter.]

Mr. Murphy. Thank you, gentlemen. It was very helpful. Before we adjourn I would like to submit without objection, for the record, the testimony of Craig Friedberg, for the record. With no objections, it shall be admitted.

[The prepared statement of Craig B. Friedberg follows:]

PREPARED STATEMENT OF CRAIG B. FRIEDBERG

My name is Craig Friedberg. I am a third year law student at the University of San Diego School of Law. I also work for the Center For Public Interest Law located on the University of San Diego campus. The Center For Public Interest Law publishes the California Regulatory Reporter, which monitors the various Boards and Commissions of California, including the Athletic Commission.

I was the student monitor responsible for the Athletic Commission reports published in the California Regulatory Reporter during the academic year 1984-85. In addition to my interest in boxing, Professor Robert C. Fellmeth, the Director of the Center For Public Interest Law was a member of the California Athletic Commission from 1977-81, and chairperson of the Commission for the calendar years 1978, 1979 and 1981. This testimony is a combination of both his and my views concerning HR 1689 and may also be considered the position of the Center on this issue.

It is clear that boxing is regulated for the health and safety of the participants. There is also a general concern about the corruptive influence of organized crime flowing from gambling on the outcome, either directly, or by avoiding legitimate contenders.

To these ends, it is important that boxing contests be regulated to prevent the kinds of conditions leading to either immediate or cumulative violence, should provide treatment and compensation to the extent an injury does occur and should excise the corruptive influences from the sport. These regulations however, vary widely from state to state.

Some states, like California, have extensive rules and standards listed in their administrative codes which address every aspect of boxing: safety, equipment, licencing and penal sanctions. Others have little or no regulation. Additionally, state administration of regulations varies. Some states with extensive rules lack personnel, funds, or initiative to enforce regulations. Some limit enforcing impractical regulations and others "stretch" the regulations because "the show must go on."

Another major flaw in state regulation is that it does not apply beyond state boundaries. States do not appear to share information and resources with other states in enforcement proceedings. There is no central data collection system. All a disqualified boxer in Michigan has to do is to go to Ohio. State licencing laws and medical requirements are also circumvented. Without a central data system, a licensed New Jersey boxer who has been knocked out in a bout in New Jersey can go to New York and fight despite the required 30 or 60 day suspension period. New York officials do not have such data and will allow the boxer to fight if he shows a valid licence. Without a central data system boxers records can also be altered. A boxer can win four and lose three fights in California, then go to Illinois and apply for a license, able to proclaim that he has a clean slate.

The Chairman of the Michigan Athletic Board of Control testifying before this Subcommittee in 1983 said:

"Ideally, if all States had athletic commissions, and if all States were effective with their power; and if all States were not laden with budgetary problems; and if all States cooperated with one another, then we would not need Federal regulation. Unfortunately, idealism falls short of realism . . . the absence of a strong organization leaves the boxers more susceptible to exploitation and physical harm." Dr. Stuart E. Kirschenbawn, testimony before the Subcommittee on Labor Standards, House Committee on Education and Labor (1983).

State regulatory authority stops at its boundary lines. Sanctions, suspensions and rules which are burdensome or expensive, yet beneficial, are circumvented as a result. Many states have minimum or no regulation. Cooperation between the states is inadequate making enforcement within a state difficult.

State administration of important regulations are subject to compromise and often disregarded. Promotors can shop for jurisdictions which either have few regulations in order to "get the business," all to the detriment of the boxer's welfare and safety.

A solution to this problem may be in the form of the American Boxing Corporation (ABC) as proposed in HR 1689. There is a definite need for a centralized system to tie all the loose ends together in this currently fragmented system of boxing regulation (see Exhibit "A"). An ultimate authority is necessary to account to for the various instances of little or no regulation.

The ABC must have the power to access licencing fees, a gate tax, a transmission receipt tax, and appropriate penalties. It must a mandate to protect health and safety and to implement a nationwide-disability plan. It will be in a position automatically to negotiate consistent arrangements internationally on behalf of the nation. Such an organization runs counter to the notion of local control and deregulation, but in reality what we have now is control by the promoters and by not always responsible international entities. These international entities confront a fragmented set of U.S. commissions necessarily weakened by destructive inter-jurisdictional competition which puts the promoter, not the state, in control.

Minimum safety standards are needed to safeguard the health of boxers. The California regulations would be a very good model on which to base a nationwide standard. The regulatory part of the system could be deferred to the state where its standards are as strict or stricter, as in the case of air pollution or general worker safety regulations.

The most important part of HR 1689 is the establishment of a central information and data collection network. As discussed above, the lack of one presently, enables unscrupulous managers and promoters to circumvent the rules and regulations of one state in order to have the boxer fight in another. Licenses and identification data should be collected for all boxers upon registry in any state or nation. All suspensions and physical problems relevant to boxing can also be entered into the data bank. Access to such information should be easy to obtain, possibly by phoning the central data bank, identifying the need for such information and then receiving it. To protect a boxer's privacy, access to such information should be given only to those registered with the data bank (eg. State Regulatory agencies, promoters, and managers).

There is a need for a central and superior authority in professional boxing. Abuse of state regulation permeates the industry to the cost of the well-being of boxers and of the sport. HR 1689 has many of the important features a Federal agency will need to successfully regulate the boxing industry. For these reasons we support the passage of this bill and the establishment of the ABC or at the very least, the establishment of a central clearinghouse of information on boxers fighting in the U.S. that is available to all regulatory agencies empowered with the responsibility of overseeing the boxing industry.

TABLE 1. — REQUIREMENTS OF SELECTED STATE BOXING COMMISSIONS SAFETY AND MEDICAL REQUIREMENTS*

	California	Georgia	Kentucky	Massachusetts	Montana	Nebraska	Nevada	New Jersey	New York	Washington	Wyoming
Medical examination:											
Referee examined	X			X	X	6	.	X	.	X	.
Boxer examined	X	.	X	X	X	X	.	X	X	.	.
Eyes tested	X	.	.	X	.	X	.	X	X	X	.
Electrocardiogram	.	.	.	X	.	.	.	.	X	X	.
Computed axial tomographic scan	.	.	.	.	.	.	.	.	.	.	.
Electroencephalogram	.	.	.	.	.	X	.	.	X	.	.
Psychological test	.	.	.	.	.	.	.	X	X	X	.
Blood analysis	.	.	.	.	.	.	.	.	X	X	.
Annual examination	X	.	.	.	.	.	.	X	X	X	.
Pre-fight examination	X	.	X	X	X	X	.	X	X	X	.
Post-fight examination	.	.	.	X	.	.	.	.	X	.	.
Physician:											
Certified by State commissioner	X	.	X	X	.	X	.	.	X	X	.
Provided by promoter	.	.	.	.	.	.	.	.	.	X	.
Physician may stop fight	.	.	X	.	.	.	.	.	X	X	.
Commission has medical advisory board	.	.	.	.	.	.	X	.	X	.	.
No physician required	.	X	.	.	.	.	.	.	.	.	.
Physician at ringside	X	.	X	X	X	X	.	X	X	X	.
Safety:											
Age of fighter limited	X	.	X	X	X	7	.	X	X	X	.
Time off between bouts	X	.	X	.	X	X	.	X	X	X	.
Emergency equipment available	X	.	.	X	.	.	.	.	X	X	.
Number of rounds limited	X	.	X	X	X	8	.	X	X	X	.
Three-knockdown rule	.	.	.	.	.	X	.	X	.	X	.
Mandatory eight count	X	.	.	.	X	X	.	X	X	X	.
Boxer suspended after knockout or severe beating	X	.	.	X	.	X	.	X	X	.	.
Knockout suspension: 30 days or less	.	.	.	.	.	.	.	.	.	.	.
Knockout suspension: 30 days or more	X	.	.	X	.	X	.	.	.	X	.
Knockout suspension: 45 days	.	.	.	.	.	.	.	.	X	.	.
Knockout suspension: 60 days	.	.	.	.	.	.	.	X	.	.	.
Boxer may pay fine in lieu of suspension	.	.	X	.	.	.	X	.	.	.	.
One-minute rest between rounds	.	.	X	X	X	X	X	.	X	X	.
Other than one-minute rest between rounds	.	.	.	.	.	.	.	.	.	.	.
Sets weight classes	X	.	X	.	X	9	.	X	.	X	.

See notes following table 3.

TABLE 2. — REQUIREMENTS OF SELECTED STATE BOXING COMMISSIONS EQUIPMENT STANDARDS*

	California	Georgia	Kentucky	Massachusetts	Montana	Nebraska	Nevada	New Jersey	New York	Washington	Wyoming
Equipment — general:											
Boxing headgear	.	.	.	.	.	.	.	.	.	.	.
Protective cup	X	.	X	X	X	X	.	X	.	X	.
Mouthpiece	X	.	.	.	.	X	.	X	.	.	.
Gloves:											
Thumbless	.	.	.	.	.	.	.	.	X	.	.
Weight: 5oz. or more	.	.	X	.	.	.	.	.	.	.	.
Weight: 8 oz. or more	X	.	.	X	.	X	.	X	X	.	.
Ropes:											
Three ropes	X	.	X	.	.	.	X	X	[10]	X	.
Four ropes	.	.	X	.	.	X	.	.	[10]	.	.
Diameter: 1 inch or less	.	.	.	.	.	.	.	.	[10]	.	.
Diameter: 1 inch or more	X	.	X	X	X	X	.	X	[10]	X	.
Specifies rope material	X	.	X	X	.	.	.	X	[10]	X	.
Ring height and size:											
3.5 ft. to 4 ft. from ground	.	.	.	.	.	X	.	.	[10]	.	.
4 ft. or less from ground	X	.	X	.	X	.	.	X	[10]	X	.
4 ft. or more from ground	.	.	.	.	.	.	.	.	[10]	.	.
2 ft. or more from ground	.	.	.	X	.	.	.	.	[10]	.	.
16 ft. square	.	.	X	X	X	X	.	.	[10]	X	.
20 ft square	X	.	X	X	X	X	.	X	[10]	X	.
24 ft. square	X	.	.	X	.	X	.	X	[10]	X	.
25 ft. square	.	.	.	.	.	X	.	.	[10]	.	.
Thickness of floor pading:											
1 in or less	.	.	.	.	.	.	.	.	[10]	.	.
1 in or more	.	.	X	X	X	X	.	X	[10]	.	.
Not specified	[5]	.	.	.	.	.	.	.	[10]	.	.

See notes following table 3.

TABLE 3. — REQUIREMENTS OF SELECTED STATE BOXING COMMISSIONS ADMINISTRATION AND ENFORCEMENT*

	California	Georgia	Kentucky	Massachusetts	Montana	Nebraska	Nevada	New Jersey	New York	Washington	Wyoming
Commission structure:											
Collegial body	X	.	X	X	X	.	X	.	X	X	.
Single administration	.	.	.	.	.	X	.	X	.	.	.
Appointed by Governor	X	.	X	X	.	X	.	.	X	X	.
Per diem pay	X	.	X	.	.	.	X	.	.	X	.
Fixed salary	.	.	.	X	.	.	.	X	.	.	.
Jurisdiction over boxing only	.	.	.	.	.	.	.	.	.	.	.
General jurisdiction over athletics	X	.	X	.	X	X	X	.	X	X	.
State employees	X	.	X	X	.	.	.	.	X	.	.
Fixed terms	X	.	.	X	.	.	.	X	X	X	.
Serve at pleasure of Governor	.	.	X	.	.	.	.	.	.	.	.
Licenses required:											
Referees	X	.	X	X	X	X	.	.	.	[2]	.
Trainers	X	.	X	X	X	.	X	.	X	X	.
Boxers	X	.	X	X	X	X	X	X	X	X	.
Managers	X	.	X	X	X	X	.	X	X	X	.
Seconds	X	.	X	X	X	X	.	X	X	X	.
Promoters	X	.	X	[3]	X	X	X	[3]	X	[3] [4]	.
Announcers	X	.	X	.	X	.	.	X	.	X	.
Ticket selling agents	X	.	X	.	X	.	.	X	.	.	.
Physicians	X	.	X	X	X	X	.	.	.	X	.
Judges	X	.	X	X	X	X	.	.	.	.	.
Timekeepers	X	.	X	X	X	X	.	X	.	X	.
Doormen	X	.	X	.	.	.	.	X	.	.	.
Enforcement Procedures:											
Hold hearings	X	.	.	X	.	.	X	X	X	.	.
Collect gate tax to meet expenses	X	.	.	X	X	X	X	X	.	X	.
Bonding	X	.	X	X	X	X	X	.	X	X	.
Licensee fingerprinted	X	.	.	X	.	.	.	[6]	X	.	.
Review all contracts	X	.	X	X	X	X	X	X	X	X	.
Approve matches	.	.	.	.	.	.	.	.	X	.	.
Subpoena power	X	.	X	X	.	.	X	X	X	X	.

TABLE 3. — REQUIREMENTS OF SELECTED STATE BOXING COMMISSIONS ADMINISTRATION AND ENFORCEMENT*—Continued

	California	Georgia	Kentucky	Massachusetts	Montana	Nebraska	Nevada	New Jersey	New York	Washington	Wyoming
Penalties for violations:											
Suspend license	X	.	X	X	X	X	X	X	X	1	.
Revoke license	X	.	X	X	X	X	X	X	X	X	.
Levy fines	.	.	.	.	.	.	.	.	.	.	.
Imprison violators	.	.	X	.	.	.	.	.	.	.	.
Benefits for boxers:											
Health Insurance	X	.	.	X	.	.	X	X	X	.	.
Life Insurance	.	.	.	X	.	.	.	.	.	.	.
Pension fund	X	.	.	.	.	.	.	.	.	.	.
Veteran boxer's emergency fund	X	.	.	X	.	.	.	.	.	.	.
Training required:											
Referee	X	.	.	.	.	.	.	.	.	.	.
Physician	.	.	.	.	.	.	.	.	.	.	.
Cotmen											
Trainers											
Judges											

[1] The Commission has full discretion to determine such penalties as it deems expedient.

[2] In case of serious injury to a contestant, the referee is automatically under suspension until an investigation by the Commission establishes whether injury resulted from the referees negligence or incompetence, or by circumstances not reasonably in his control.

[3] Promoters may be liable when one of the contestants is outclassed.

[4] A promoter cannot also serve as manager of a contestant.

[5] Ring floor padding must be approved by the Commission.

[6] Only promoters are fingerprinted.

[7] There is a minimum age limit only.

[8] Requirement is imposed at the discretion of the Commissioner.

[9] Commissioner may grant permission to box an opponent who exceeds the weight allowance.

[10] State regulation simply provides that the ring must be inspected and approved by the Commission.

Source: Data Compiled by Gary Galemore of Congressional Research Service (1983).

Mr. **Murphy**. The hearing now stands adjourned.

[Whereupon, at 4 p.m., the subcommittee was adjourned.]

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